ബഡ്ജറ്റ് തയ്യാറാക്കുന്ന അവസരത്തിൽ ഡിപ്പാർട്ടുമെണ്ടൽ ഹെഡ്സ് അതിൽ വേണ്ടത്ര ശ്രദ്ധപതിപ്പിക്കുന്നില്ലെന്നും, തന്മൂലം കക്കടകത്തിലെ ബഡ്ഡറ്റ് മീറ്റിംഗ് കഴിഞ്ഞാൽ പിന്നെയും അടുത്തവരുന്ന ലജിസ്ലേറ്റീവു സെഷനുകളിൽ തുടച്ചയായി സപ്ലിമെൻറി ഡിമാൻഡ് കൊണ്ടുവരുന്നുണ്ടെന്നും മിസ്റ്റർ ഗോവിന്ദമേനോൻ ഇവിടെ പറഞ്ഞ പോയിൻറ് വളരെ പരമാർത്ഥമാണ്. അതിനെസംബന്ധിച്ച് ഇതിനുമുമ്പുതന്നെ ഡിപ്പാർട്ടുമെൻറൽ ഹെഡ്സിനു് വേണ്ട നിർദ്ദേശങ്ങളും കൊടുത്തു കഴിഞ്ഞിട്ടുണ്ട്. ഇങ്ങിനെയുള്ള കാര്യത്തിൽ കഴിയുന്നതും അഡിഷണൽ അലോട്ടുമെൻറുകൂടാതെ കഴിക്കുവാനുള്ള തീരുമാനം ചെയ്യുന്നതുമാണ്. ഫ ഫ വ ഫ-ലെ റിപ്പോർട്ട് ഇവിടെ എല്ലാ മെമ്പർമാർക്കും കൊടുത്തുകഴിഞ്ഞിട്ടുണ്ട്. അടുത്തുതന്നെ അതു കമ്മീറ്റിയുടെ മുമ്പാകെ വെക്കുന്നതായിരിക്കും. ഫ ഫ വ വ-ലെ റിപ്പോർട്ടും അടുത്തുതന്നെ പ്രസിദ്ധം ചെയ്യാൻ പരിശ്രമിക്കുന്നുണ്ട്. ഈ വക കാര്യങ്ങളിൽ ഈ സഭയിലെ ബഹുമാനപ്പെട്ട മെമ്പർമാർ വേണ്ടുന്ന ഉപദേശങ്ങളും തന്നതിനു് ഞാൻ എല്ലാവരോടും നന്ദി പറയുന്നു. ഈ റിപ്പോർട്ട് ഈ സഭ സ്വീകരിക്കുവാൻ അപേക്ഷിക്കുന്നു.

5—Legislative Business—Government Bills

(1) The Cochin Public Health bill as modified by the Select Committee.

Mr. Parambi Lonappen *(Minister for Revenue)*: I move that the Cochin Public Health Bill as modified by the Select Committee be taken into consideration.

Rao Bahadur T. K. Nayar *(Prime Minister)*: I second it.

Motion put and carried.

Clauses 1 to 27 put and carried.

Schedules I and II put and carried.

Title and Preamble put and carried.

Mr. Parambi Lonappan *(Minister for Revenue)*: The Bill may be taken up and finally passed at the next meeting of the Legislative Session of the Council.

Motion put and carried

(2) The Cochin Trade Unions Act (Amendment) Bill

Rao Bahadur T. K. Nayar *(Prime Minister)*: I move that the Cochin Trade Unions Act (Amendment) Bill be read in Council.

Mr. P. Raman Menon (*Advocate-General*): I second it.

In seconding the motion, I may be permitted to explain the scope of the Bill. The Cochin Trade Unions Act, III of 1112 provides for the registration of Trade Unions but does not cast any obligation on the employer to recognise any registered Trade Union. Obligatory recognition of representative Trade Unions is provided for in the Government of India Bill. By this Amendment Bill it is intended to bring it into line with the Government of India Bill, so as to make it obligatory on the part of the employers to recognise the Trade Unions. That is the main object of the Bill.

Motion put and carried

Secretary to the Council: The title of the Bill is the Cochin Trade Unions Act (Amendment) Bill.

Rao Bahadur T. K. Nayar (*Prime Minister*): Although there is no motion here, several representations have been received that the Bill should go to a Select Committee.

Mr. P. Govinda Menon *(Ernakulam)*: That is what I wanted.

Rao Bahadur T. K. Nayar (*Prime Minister*): Although there is no motion here, several representations have been received that the Bill should go to a Select Committee.

Mr. P. Govinda Menon *(Ernakulam)*: That is what I wanted.

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Sl. No.	Name of Journal	Name of the Editor
55.	Samastha Kerala Sahithia Parishath (Quarterly)	Mr. A. D. Hari Sarma
56.	Thrimasika ,,	M/s. G. Sankara Kurup and A. D. Hari Sarma
57.	Teachers' Magazine ,,	Mr. T. A. Krishna Ayyar
58.	Dwaimasika (once in two months)	,, P. V. Krishnan Nayar
59.	St. Thomas College Magazine (Annual)	,, P. Ramanathan, B.A.
60.	Sacred Heart College ,, ,,	,, C. J. Varkey
61.	St. Teresa's College ,, ,,	Sr. Mary Antoinette
62.	Government Training College Magazine (Annual)	M/s. T. C. Balakrishna Menon and A. K. Pisharodi
63.	Journal of the Rama Varma Archaeological Society	Mr. Joseph Mundasseri
64.	Maharaja's College Magazine (Annual)	Professer G. F. Pappali, M.A., Ph.D. (London)

APPENDIX II

THE COCHIN PUBLIC HEALTH BILL

(As modified by the Select Committee)

WHEREAS it is expedient to make provision for advancing the public health of Cochin It is hereby enacted as follows.—

CHAPTER I

Preliminary

1. *Short Title and extent.* (1) This act may be called the Cochin Public Health Act of 11 :

(2) It extends to the whole of Cochin State.

2. *Commencement.*—(1) The provisions of this Act, except Chapter IX and Part II of Chapter X, shall come into force in the whole of Cochin State at once.

(2) Government may, from time to time, by notification, extend all or any of the provisions of Chapter IX to any local area in Cochin State, and may cancel or modify any such notification.

(3) (*a*) The provisions of Part II of Chapter X shall come into force at once in every local area which has been, or may here after be, declared to be a municipality under the Cochin Municipal Act, XVIII of 1113.

(*b*) Government may, from time to time, by notification extend the provisions of Part II of Chapter X to any other local area and may cancel or modify any such notification.

3. *Definitions.*—In this Act, unless there is anything repugnant in the subject or context.—

(1) "Building" includes.—

(*a*) a house, out-house, stable, latrine, godown, shed, hut, wall (other than a boundary wall not exceeding eight feet in height) and any other such structure whether of masonry, bricks, wood, mud, metal or any other material whatsoever;

(*b*) a structure on wheels or simply resting on the ground without foundations; and

(*c*) a ship, vessel, boat, tent, van and any other such structure used for human habitation;

(2) "Cattle" includes elephants, camels, mules, asses, horses, cows, bulls, bullocks buffaloes, sheep, goats and pigs and the young ones of these species.

(3) "Dairy" includes—

(*a*) any farm, cattle-shed, milk store, milk shop, or other place from which milk is sold or supplied for sale, or in which milk is kept for sale or manufactured for sale into butter, ghee, cheese, cream, curds, butter-milk, or dried or sterilised or condensed milk; and

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(*b*) in relation to a dairyman who does not occupy any premises for the sale of milk, any place in which he keeps the vessels used by him for the storage or sale of milk, but does not include.—

(*i*) a shop or place in which milk is sold for consumption on the premises only; or

(*ii*) a shop or place from which milk is sold or supplied for sale in hermetically closed and unopened receptacles in the same original condition in which it was first received in such shop or place.

(4) "Dairyman" includes any person who sells milk, whether wholesale or by retail.

(5) "Drain" means a house drain or a drain of any other description, and include a sewer, tunnel, culvert, ditch, channel or any other device for carrying off sullage, sewage, offensive matter, polluted water, rain water or subsoil water.

(6) "Drug" means any substance used as medicine whether for internal or external use or any substance used in the composition or preparation of such medicine.

(7) "Dwelling house" means a building constructed, used or adapted to be used, wholly or principally, for human habitation or in connection therewith.

(8) "Executive authority" means the Chairman, President, Commissioner, or other functionary of the local authority concerned, who is vested with general executive powers under the Cochin Municipal Act, XVIII of 1113, the Cochin Town Councils Act, XXVI of 1115 or the Cochin Village Panchayat Act, V of 1089 as the cases may be.

(9) "Executive Officer" means the paid officer, if any, of the local authority who is vested with general executive powers in the local area for which such authority is constituted.

(10) "Factory" means any premises including the precincts thereof, wherein any industrial, manufacturing or trade process is carried on with the aid of steam, water, oil, gas, electrical or any other form of power which is mechanically transmitted and is not generated by human or animal agency.

(11) "Filth" means—

(*a*) night soil and other contents of latrines, cesspools and drains;

(*b*) dung and the refuse or useless or offensive material thrown out in consequence of any process of manufacture, industry or trade; and

(*c*) putrid and putrefying substances.

(12) "Food" includes every article consumed or used by man for food, drink, or chewing and all materials used or admixed in the composition or preparation of such article and shall also include flavouring and colouring matter and condiments.

(13) "Health Officer" means the Health Officer employed by the local authority concerned and where there is no such officer such other officer or person empowered by Government to perform the functions of the Health Officer under this Act.

(14) "House drain" means any drain actually used, or intended to be used, for the drainage of one or more premises.

(15) "Hut" means any building which is constructed principally of wood, mud, leaves, grass, thatch, or metallic sheets and includes any temporary structure of whatever size or any small building of whatever material made which the local authority may declare to be a hut for the purposes of this Act.

(16) "Infectious disease" means an infectious disease as defined in section 45 and includes notified disease as defined in section 55 and leprosy as defined in section 71.

(17) "Latrine" includes privy, water-closet, pit and urinal, whether public or private, or whether open or flush out.

(18) "Local area" means the area within the jurisdiction of a local authority.

(19) "Local authority" means.—

(*a*) in any municipal area, the municipal council concerned;

(*b*) in any town constituted under the Cochin Town Councils Act, XXVI of 1115, the Town Council concerned; and

(*c*) in any area which is comprised within the jurisdiction of a panchayat, the panchayat concerned.

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(20) "Magistrate" does not include an Honorary Magistrate.

(21) "Milk" means the milk of a cow, buffalo, goat or other animal and includes cream, skimmed milk, separated milk and condensed, sterilised or desiccated milk, or any other product of milk.

(22) "Notification" means a notification in the Cochin Government Gazettee.

(23) "Nuisance" includes any act, omission, place or thing which causes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smell or hearing or disturbance to rest or sleep or which is or may be dangerous to life or injurious to the health or property of the public or the people in general who dwell or occupy property in the vicinity or persons who may have occasion to use any public right.

(24) "Occupier" includes—

(*a*) any person for the time-being paying or liable to pay to the owner the rent or any portion of the rent of the land or building or part of the same in respect of which the word is used or damages on account of the occupation of such land, building, or part; and

(*b*) a rent-free occupant.

(25) "Offensive matter" includes.—

(*a*) filth as defined in clause (11);

(*b*) sewage as defined in clause (31); and

(*c*) dirt, house sweepings, spittings including chewed betel and tobacco, kitchen or stable refuse, broken glass, or pottery, debris and waste paper.

(26) "Offensive trade" means any trade in which the substances dealt with are, or are likely to become a nuisance.

(27) "Owner" includes the person for the time being receiving, or entitled to receive whether on his own account or as agent, trustee, guardian, manager or receiver for another person or estate or for any religious or charitable purposes, the rent or profits of the property in connection with which the word is used.

(28) "Prescribed" means perscribed by Government by rules made under this Act.

(29) "Private street" means any street, road, square, court, alley, lane, passage or riding-path which is not a "public street" but does not include a pathway made by the owner of premises on his own land to secure access to, or the convenient use of, such premises.

(30) "Public street" means any street, road, square, court, alley, lane, passage or riding-path, whether a thoroughfare or not, over which the public have a right of way and includes—

(*a*) the roadway over any public bridge or causeway;

(*b*) the footway attached to any such street, public bridge or causeway; and

(*c*) the drains attached to any such street, public bridge or causeway and the land whether covered or not by any pavement, verandah, or other structure which lies on either side of the roadway up to the boundaries of the adjacent property whether that property is private property or property belonging to Government.

(31) "Sewage" means nightsoil and other contents of latrines, cesspools or drains and includes trade effluents and discharges from manufactories of all kinds.

(32) "Street" means a public or private street.

(33) "Urban local area" means the area within the jurisdiction of an urban local authority.

(34) "Urban local authority" means—

(*a*) a Municipal Council; or

(*b*) any Town Council or Panchayat notified by Government as an urban local authority for the purposes of this Act, so long as the notification remains in force.

(35) "Venereal disease" means syphilis, gonorrhoea, soft chancre, veneral granuloma or lympho granuloma.

(36) "Water course" includes any river, stream or channel whether natural or artificial other than a drain.

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(37) "Workplace" means any premises including the precincts thereof (not being a factory or a workshop) wherein is carried on any industrial, manufacturing or trade process, at which not less than five persons are employed for wages or any other remuneration.

(38) "Workshop" means any premises including the precincts thereof, (not being a factory) wherein any article or part of an article is made, repaired, altered, ornamented, finished or otherwise adapted for use on a commercial basis and not less than five persons are employed for that purpose for wages or any other remuneration.

CHAPTER II

Powers of Government and of the Director of Public Health

4. *Powers of Government and of the Director of Public Health and his staff.*—(1) Government shall have power to inspect, control and superintend the operations of local authorities under this Act.

(2) Government may, from time to time, define the powers to be exercised, and the duties to be performed by the Director of Public Health or any member of his staff for the purpose of sub-section (1).

(3) Nothing contained in sub-sections (1) and (2) shall be deemed to affect, or derogate from any powers possessed by Government or the Director of Public Health under any other law for the time being in force.

5. *Powers of the Director of Public Health to advise local authorities.*—The Director of Public Health may, from time to time as occasion requires, recommend for adoption, by any local authority, such measures as may be necessary for improving the public health administration in the local area, or for safeguarding the public health therein.

Provided that if on account of financial or other reasons any local authority is unable to carry out such measures, or if there is any difference of opinion between the local authority and the Director, the matter shall be referred to Government whose decision shall be final.

Public Health Establishment of Local Authorities

6. *Public Health Staff in local areas.*—The public health establishment of every local authority shall be on such scale as Government may from time to time direct.

7. *Appointment of temporary Health Officers in emergencies.*—(1) In the event of the prevalence or threatened outbreak of any infectious disease in any local area, or of any unusual mortality therein, Government may, by order, appoint temporarily for such period as may be specified therein, one or more additional Health Officers for the treatment of such infectious disease and preventing it from spreading, or for investigating the cause of, and preventing, such mortality as the case may be.

(2) For the purpose of sub-section (1) Government may appoint any Medical Practitioner either on an honorary basis or on such salary or allowances or both as Government may fix. The salary and allowances shall be apportioned between Government and the local authority in such proportion as Government may determine.

8. *Appointment of persons to carry out the provisions of this Act.*—(1) Notwithstanding anything contained in this Act or in any other Act or Acts governing the local authority or authorities concerned, Government may, by general or special order appoint any person or persons to carry out such provisions of this Act, and in such areas, as may be specified in the order.

(2) The expenses incurred by such person or persons in doing so shall be met from the funds of the local authority or authorities concerned, either wholly or in part, and, where more than one local authority is concerned in such proportions as may be determined by Government.

9. *Powers of Director of Public Health over Public Health Staff of local authorities.*—(1) Subject to such rules as may be prescribed including rules for consultation with the executive authorities concerned,

(*a*) Government may transfer any member of the public Health establishment of a local authority to the public health establishment of another local authority; and

(*b*) in times of emergency, the Director of Public Health may assign one or more members of the public health establishment of one local authority for temporary duty in the area of another local authority.

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(2) In the case referred to in clause (*b*) of sub-section (1) the local authority within whose jurisdiction the member or members of the public health establishment of another local authority are working, shall pay for the period of such temporary duty, the salary and allowances of such member or members and such contribution towards their leave allowances, pension and Provident Fund as Government may, by general or special order determine.

10. *Health Officer's control over Public Health staff.*—The Health Officer in charge of any local area, shall exercise supervision and control over all other members of the public health establishment in such area, subject to such rules as may be prescribed.

11. *Local authority to provide adequate facilities to the Health Officer.*—Every local authority shall provide its Health Officer with such clerical assistance, office accommodation, furniture, equipment, stationery and forms as may in the opinion of the Director of Public Health be necessary for the proper conduct of the business of such Health Officer. If for any reason the local authority disagrees witn the opinion of the Director of Public Health, the local authority shall refer the matter to Government whose decision shall be final.

12. *Authorisation of Health Officer to perform the functions of executive authority in public health matters.*—Notwithstanding anything contained in the Cochin Municipal Act, XVIII of 1113, the Cochin Prevention of Food Adulteration Act, XIV of 1109 and the Places of Public Resort Act, X of 1097, the Health Officer of a local authority shall perform such of the functions, and discharge such of the duties of its executive authority in regard to public health matters under any of the provisions applicable to such local authority contained in the Acts aforesaid, subject to such appeal and control as may be prescribed.

CHAPTER III

Water-Supply

13. *Local authority to provide potable water.*—(1) Every local authority may, and if Government so direct shall, provide or arrange for the provision of a sufficient supply of drinking water for consumption by the inhabitants of the area within its jurisdiction.

(2) The local authority shall, so far as may be practicable, make adequate provision for securing—

(*a*) that the water-supply is continuous throughout the year; and

(*b*) that the water supplied is at all times wholesome and fit for human consumption.

(3) A local authority may also provide or arrange for the provision of a sufficient supply of water for other domestic purposes or for non-domestic purposes.

14. *Power of Government to direct local authority to execute water-works.*—(1) If in the opinion of Government, a local area does not possess a sufficient supp y of wholesome water fit for the consumption of its inhabitants, they may direct the local authority concerned, either singly or in combination with the local authority or authorities having jurisdiction over any local area or areas in the neighbourhood which are similarly situated, to execute within such time as Government may fix, such works as may be directed by Government for providing a sufficient supply of wholesome water fit for human consumption.

(2) A local authority may, with the previous sanction of Government—

(*a*) construct, lay, or erect filters, reservoirs, engines, conduits, pipes, or other works without the limits of its local area, for supplying such area with water;

(*b*) purchase or take on lease any water-work, or any water, or any right to store or to take or convey water, either within or without the limits of its local area; and

(*c*) contract with any local authority or other person or agency for the supply of water.

(3) A local authority may, with the previous sanction of Government, by public notice declare any lake, stream, spring, well, tank, reservoir, pond or other sources of water-supply whether within or without the limits of its local area (other than a source under the control of Government), from which water is or may be made available for the use of the public in the local area for domestic purposes, to be a source of public water-supply for such purposes and every such source shall thereafter be under the control of the local authority, only to the extent necessary for such purposes.

15. *Power of Government to divert water from water-main belonging to a local authority.*—Government shall have power to take water from any water-main belonging to, or in the control of, a local authority for supplying water to any other area, subject to such payment being made

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to the local authority concerned and subject also to such other conditions as Government may consider reasonable:

Provided that before taking action under this section, Government shall communicate to the local authority the grounds on which they propose to do so, fix a reasonable period for the local authority to show cause against the proposal, and consider its explanations or objections, if any.

16. *Power of Director of Public Health in regard to water-supply.*—(1) The Director of Public Health may cause inquiries to be made in any local area or part thereof, with a view to ascertaining.—

(*a*) whether the source of water-supply for such local area or part is contaminated from any cause against which effective means of protection can be taken, and

(*b*) whether the provision of any additional source or sources of water-supply is necessary for such local area or part.

(2) The Director of Public Health may, after taking into consideration the result of such inquiries, by notice, direct that any source of water-supply be cleaned, improved, repaired or otherwise protected from contamination, or that such additional source or sources of water-supply be provided, as the case may be:

Provided that before issuing a notice under this sub-section, the director of Public Health shall give the authorities or persons affected, a reasonable opportunity to make any representations they may wish to make and consider the same.

(3) Against any direction issued by the Director of Public Health under sub-section (2) an appeal shall lie to Government whose decision shall be final.

(4) (*a*) Every notice issued under sub-section (2) shall specify the nature and extent of the works to be executed, the estimated cost thereof, and the authority or authorities or the person or persons by whom, and the period within which, they are to be executed.

(*b*) The notice shall either.—

(*i*) be published in the prescribed manner; or

(*ii*) be served on the local authority or on the person owning or having control over the sources of water-supply, as the case may be, in the prescribed manner.

(5) If the directions contained in any notice issued under sub-section (2) have not been satisfactorily complied with the Director of Public Health may himself cause the works specified in the notice to be executed, provided that he may, on sufficient cause being shown, extend the period specified in the notice, or modify or rescind any direction contained therein.

(6) (*a*) If a water-tax is imposed in the local area, the cost of carrying out the works specified in the notice issued under sub-section (2), whether such works are executed by the authority or person specified therein or under sub-section (5) by the Director of Public Health, shall be borne by the local authority concerned.

(*b*) If no water-tax is imposed in the local area such cost shall be borne by the inhabitants of the local area who, on inquiry. are found to be benefited by the works or shall be shared between such inhabitants and the local authority concerned in such proportions as may be determined by Government.

Explanation.—For the purposes of this sub-section "water-tax" means.—

(*a*) a tax levied under section 20 of this Act, or

(*b*) a water and drainage tax levied under section 74 (1) (*a*) of the Cochin Municipal Act, XVIII of 1113 or under section 66 (1) (*a*) of the Cochin Town Councils Act, XXVI of 1115.

17. *Power of Director of Public Health to direct local authority to improve water supply.*—If the Director of Public Health is satisfied upon investigation that any source of public water-supply in a local area is contaminated or is subject to imminent risk of contamination by reason of unsatisfactory location, protection, construction, operation or maintenance, and speedy remedy or immediate prevention is, in his opinion, desirable, he may, direct the local authority to take such measures as may be specified; and the local authority shall take action accordingly.

18. *Rules for the protection and periodical examination of water supply.*—Government shall have power to make rules providing for the protection and periodical examination of sources of water-supply in Cochin State.

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19. *Health Officer's powers in regard to insanitary sources.*—(1) The Health Officer may at any time by written notice require that the owner of, or any person having control over any lake, stream, spring, well, tank, reservoir, pond or other source of water-supply which is used for drinking, bathing or washing clothes, shall, whether the same is private property or not, within a reasonable time to be specified in the notice or in any case falling under clause (*d*) within such time as may be specified in the notice, not being less than thirty-six hours from the receipt thereof—

(*a*) keep and maintain any such source of supply in such manner as the Health Officer may direct; or

(*b*) cleanse any such source of water-supply from silt, refuse and vegetation; or

(*c*) protect any such source of water-supply from pollution by surface drainage in such manner as the Health Officer may direct; or

(*d*) repair, protect or enclose in such manner as the Health Officer may direct, any such source of water-supply if for want of sufficient repair, protection or enclosure, such source of water-supply is in his opinion dangerous to the health or safety of the public or of any persons having occasion to use or to pass or approach the same; or

(*e*) desist from using, and from permitting others to use for drinking purposes any such source of water-supply, if in the opinion of the Health Officer, the water is unfit for drinking; or

(*f*) close any such source of water-supply, either temporarily or permanently, or enclose or fence the same in such manner as the Health Officer considers sufficient to prevent the use thereof for drinking purposes, if in his opinion the water is unfit for drinking; or

(*g*) drain off or otherwise remove from any such source of water-supply, or from any land or premises or receptacle or reservoir attached or adjacent thereto, any stagnant water which the Health Officer considers to be either injurious to health or offensive to the neighbourhood:

Provided that the provisions of clauses (*a*) and (*d*) shall not apply to a stream;

Provided further that a notice shall not be issued under clause (*f*) unless a notice has first been issued under clause (*e*) and the course of water-supply in question continues to be used for drinking purposes notwithstanding the issue of such notice, and the Health Officer considers that such use cannot be prevented otherwise than by the issue of a notice under clause (*f*).

(2) If the owner or person having control as aforesaid fails or neglects to comply with any notice issued under sub-section (1) within the time specified therein, the Health Officer may, if immediate action is necessary to protect the health or safety of any person or persons, at once proceed to execute the work specified in such notice; and all the expenses incurred in respect thereof by the Health Officer shall be paid by the owner of or person having control over such source of water-supply and shall be recoverable as if it were an arrear of revenue due to Government.

Provided that in the case of any private source the water of which is used by the public or by any section of the public as of right, the expenses which have been incurred by the Health Officer or which, in the opinion of the local authority, have been necessarily incurred by the owner of, or person having control over, the source of water-supply shall be paid from the funds of the local authority.

20. *Levy of water-tax and earmarking the proceeds for water-works.*—(1) Any local authority other than a Panchayat, may with the previous sanction of Government, and shall if so directed by them, levy within its area or any part of thereof, any tax which may be necessary for providing water-supply in such area or part.

(2) Any tax levied under sub-section (1) may be a new tax levied on such basis assessed and realised in such manner as may be sanctioned or directed by Government, or may be a tax or additional tax levied under any head of taxation specified in any law for the time being in force governing the local authority concerned in which case all the provisions of such law relating to the incidence, assessment or realisation of a tax under such head or in any manner connected therewith shall be applicable to the tax or additional tax, with such modifications and restrictions, if any, as may be prescribed.

(3) (*a*) The rates at which any tax may be levied under this section shall be determined by the local authority with the previous sanction of Government in case the tax is levied by the local authority of its own motion, and by Government in case the tax is levied at their direction.

(*b*) The local authority may with the previous sanction of Government and shall, if so directed by them, alter the rates at which any such tax is to be levied.

(4) (*a*) Every local authority levying a tax under this section shall earmark the net revenue therefrom for expenditure on the execution, maintenance and improvement of works of water-supply in the local area or part thereof within which it is levied.

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(*b*) Such revenue shall be expended in accordance with such orders as may be issued by Government in this behalf.

Nothing contained in this section shall be deemed to affect the power of any Municipality governed by the Cochin Municipal Act, XVIII of 1113, to levy a water and drainage tax under section 74 (1) (*a*) of that Act or of any Town Council governed by the Cochin Town Councils Act, XXVI of 1115 to levy such tax under section 66 (1) (*a*) of that Act.

CHAPTER IV

Drainage

21. *Local authority to maintain public drain.*—(1) Every urban local authority shall, so far as the funds at its disposal may permit, provide and maintain a sufficient and satisfactory system of public drains for the effectual drainage of its local area.

(2) If, in the opinion of Government, any local area or part thereof should, for any special reason be provided with a system of public drains or with any other means of drainage, they may direct the local authority to provide or execute, within such time as may be fixed by him in this behalf such works as may be considered necessary by them.

(3) The local authority shall at all times keep in good repair all drains, cesspools, and the like vested in or belonging to it.

22. *Power of Health Officer to require drains to be constructed.* (1)—If any premises are in the opinion of the Health Officer without sufficient means of effectual drainage, he may, by notice, direct the owner of such premises to construct a drain leading therefrom to the nearest public drain or other place set apart by the local authority for the discharge of sewage.

Provided that—

(*a*) the cost of constructing that portion of the drain which is situated more than one hundred feet from the said premises, shall be paid from out of the funds of the local authority concerned; and

(*b*) if in the opinion of the Health Officer, there is no public drain or other place set apart for the discharge of sewage within a reasonable distance of such premises, he may, by notice, require the owner of the premises to construct—

(*i*) a closed cesspool, tank, filter or other work of such meterial, size and description, as he may direct; and

(*ii*) a house-drain communicating with such closed cesspool, tank, filter, or other work.

(2) Where by reason of a local authority changing its system of drainage or undertaking a new system of drainage, it becomes necessary for the owner of any premises to reconstruct or alter any drain, the cost of reconstruction or alteration of such drain shall be borne by the local authority.

23. *Drains in private streets.*—Where a house-drain belonging to one or more premises has been laid in any private street which is common to more than one premises and the Health Officer considers it desirable that any other premises should be drained into such drain, he may, by notice, require the owner of such premises to connect his house-drain with such first mentioned drain; and the owner or owners of such first-mentioned drain shall thereupon be bound to permit such connection to be made:

Provided that no such connection shall be made—

(*a*) except upon such terms as may be mutually agreed upon between or among the owners concerned, or

(*b*) in default of such agreement, except upon such terms as may be laid down by the local authority and until any payment which may be directed by the local authority to be made to the owner or owners concerned, has been duly made.

24. *Drainage for huts* (1)—Drains for the drainage of huts shall be of such size and description, and be constructed of such material, as may be considered by the Health Officer to be practicable, having regard to the circumstances of the locality and the position of the nearest public drain or other place set apart by the local authority for the discharge of sewage.

(2) If the Health Officer considers that a new drain should be constructed for the benefit of the occupants of any hut, he may, by notice, reqiure the owner of the land on which such hut stands, to construct such drain and such owner shall construct such drain, and cause it to be cleansed and repaired to the satisfaction of the Health Officer.

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25. *Drainage of court yards alley, passage, etc.*—For the purpose of efficiently draining any land or building the Health Officer may, by notice, require the owner of any court yard alley, lane, passage or open space—

(*a*) to pave the same with such material and in such manner as may be approved by the Health Officer and to keep such saving in proper repair; or

(*b*) to raise the level of such court yard, alley, lane, passage or open space.

Explanation.—It shall be open to the Health Officer to require that in any case both the measures specified in clauses (*a*) and (*b*) of this section shall be taken.

26. *Construction and closure of cesspools.*—(1) No person shall construct a cesspool—

(*a*) beneth any part of any building or within fifty feet of any tank, reservoir, water-course or well or within such other distence therefrom as the Health Officer may consider to be practicable having regard to the circumstances of the locality: or

(*b*) within any local area, or outside such area, but within three hundred feet of any reservoir used for the storage of filtered water to be supplied to such area, except upon a site and in a position which have been approved in writing by the Health Officer.

(2) The Health Officer may, at any time. by notice, require any person within whose premises any cesspool is constructed in contravention of sub-section (1) to remove such cespool or to fill it up with such material as may be approved by him.

Explanation.—"Cessfool" in this clause shall not include a "Septic tank".

27. *Sullage or sewage not to be let out into streets*—No person having control over any building or land shall cause or allow—

(*a*) the water of any sink, sewer, latrine or sanitary convenience, or any other liquid or other matter which is, or is likely to become, offensive. to run or drain into, or to be thrown or put upon, any street or open space or to soak through any external wall; or

(*b*) any offensive matter from any sewer, latrine or sanitary convenience, to run, drain or be thrown into a surface drain in any street.

28. *Injurious refuse not to be discharged into public drain*—No person shall, save as may be generally or specially pressribed throw, empty, or turn or into any drain communicating with a public drain—

(*a*) any matter likely to injure the drain or to interfere with the free flow of its contents, or to affect prejudicially the treatment and disposal of such contents; or

(*b*) any liquid being refuse or steam or other liquid which is, either alone or in combination with the contents of the drain, dangerous, or the cause of a nuisance or prejudical to health; or

(*c*) any explosive or inflammable substance.

29. *Pollution of water courses prohibited*—No person, shall, save as may be generally or specially prescribed—

(1) put, or cause to be put. or cause to fall or flow or be carried, or knowingly permit to be put or to fall or flow or to be carried, into any water-course—

(*a*) any solid or liquid sewage matter, or

(*b*) any poisonous, noxious or polluting liquid proceeding from any manufactory or manufacturing process, or

(2) put, or cause to be put, or cause to fall or be carried, or knowingly permit to be put or to fall or be carried, into any water course, so as, either singly or in combination with other similar acts of the same or any other person, to interfere with the due flow of such water-course, or to pollute the water therein, the solid refuse of any manufactory, manufacturing process or quarry, or any rubbish or cinders or any other waste or putrid solid matter, or

(3) commit nuisance in or in the neighbourhood of any water-course.

CHAPTER V

Sanitary Convenience

30. *Obligation of local authority to provide public sanitary conveniences.*—Every local authority shall provide and maintain in proper and convenient places a sufficient number of sanitary conveniences for the use of the public and cause all such places to be kept in proper order so as not to be a nuisance or injurious to health.

31. *New houses to be provided with sanitary convenience.*—If in any local area any building intended for human habitation is constructed or is reconstructed after being pulled down to or below the ground floor, the owner thereof shall provide such sanitary conveniences and in such positions as the Health Officer may, by notice, require.

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32. *Additional sanitary conveniences.*—(1) If any building intended for human habitation is without any sanitary convenience or if, in the opinion of the Health Officer, the sanitary convenience or conveniences provided therein are insufficient, having regard to the number of persons occupying the building, or are inefficient, or are objectionable on sanitary grounds, he may, by notice in writing, require the owner of such building—

(*a*) to provide such sanitary conveniences or such additional sanitary conveniences and in such positions as may be specified in the notice; or

(*b*) to make such structural or other alterations as may be specified in the notice.

(2) Every owner of the ground on which a group of two or more huts stands shall provide such latrine accommodation, in such positions, and within such time as the Health Officer may, by notice, require for the use of the inhabitants of such group of huts.

33. *Mode of construction of latrines.*—(1) All latrines shall—

(*a*) be so constructed as to screen person using the same and the filth from the view of persons passing by or residing in the neighbourhood; and

(*b*) be maintained, repaired, altered and used in accordance with the rules and bye-laws made under this Act.

(2) If any latrine opening on any street, whether such latrine be erected before or after the commencement of this Act, is so placed or constructed as to be a nuisance or offensive to public decency, the Health Officer may, by notice in writing, require the owner to remove it to such other place within the premises or to carry out such improvements therein and within such time, as may be specified in the notice.

CHAPTER VI

Abatement of Nuisances

34. *Certain things to be nuisances.*—Without prejudice to the generality of the definition of the expression "nuisance" contained in clause (23) of section 3, the followiag shall be deemed specifically to be nuisances for the purposes of this chapter.—

(1) any premises in such a state as to be prejudicial to health or a nuisance;

(2) any pond, pool, ditch, gutter, wnter-course, water-trough, latrine, cesspool, drain or ashpit which is so foul or in such a state as to be prejudicial to health or a nuisance;

(3) any animal kept in such a place or manner as to be prejudicial to health or a nuisance;

(4) any accumulation or deposit or refuse or other matter which is prejudicial to health or a nuisance;

(5) any factory (not being a factory governed by the provisions of the Cochin Factories Act, II of 1113) workshop or work place, which is not provided with sufficient means of ventilation, or in which sufficient ventilation is not maintained, or which is not kept clean or not kept free from noxious effluvia, or which is so over-crowded while work is carried on as to be prejudicial to the health of those employed therein;

(6) any fireplace or furnance which does not as far as practicable consume the smoke arising from the combustible used therein, and which is used for working engines by steam, or any mill, factory, dye-house, brewery, bake-house, or gas-work, or in any manufacturing or trade process whatsoever;

(7) any chimney sending forth smoke in such quantity as to be a nuisance; and

(8) any noice, vibration, dust, cinders, irritating smell or offensive odour produced by a factory, workshop or workplace which is a nuisance to the neighbourhood.

35. *Detection of nuisance.*—Every urban local authority shall cause its local area to be inspected from time to time with a view to ascertain what nuisances exist therein calling for abatement under the powers conferred on such authority by this Act.

36. *Information regarding nuisance.*—Any person aggrieved by a nuisance in any local area may give information of the same to the Health Officer or any other officer of the public health establishment of the local authority, or to the local authority.

37. *Power of Health Officer to abate nuisance.*—If the Health Officer is satisfied, whether upon information given under section 36 or otherwise of the existence of a nuisance, he may, by notice, require the person by whose act, default or sufferance the nuisance arises or continues, or, if that person cannot be found the owner or occupier of the premises on which the nuisance arises or continues, to abate the nuisance and to execute such works and take such steps as may be necessary for that purpose;

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Provided that—

(*a*) where the nuisance arises from any defect of a structural character, the notice shall be served on the owner of the premises; and

(*b*) where the person causing the nuisance cannot be found and it is clear that the nuisance does not arise or continue by the act, default or sufferance of the owner or the occupier of the premises, the Health Officer may himself forthwith do what he considers necessary to abate the nuisance and to prevent a recurrence thereof.

38. *Power of local authority to abate nuisance.*—If the person on whom a notice to abate a nuisance has been served under section 37 makes default in complying with any of its requirements within the time specified therein, or if the nuisance although abated within such time is, in the opinion of the local authority, likely to recur on the same premises the local authority may arrange for the execution of any works necessary to abate the nuisance or to prevent its recurrence, as the case may be, and may recover the cost from such person as if it were an arrear of revenue due from him to Government.

39. *Provision regarding house rendered unfit for occupation by reason of nuisance.*—Where a house or other building is, in the opinion of the Health Officer, unfit for human habitation by reason of a nuisance existing therein, he may apply to a Magistrate to prohibit the use of such house or building for human habitation until it is rendered fit therefor.

40. *Disposal of articles removed while abating nuisance.*—(1) A local authority may sell any materials which have been removed by it from any premises (including any street) when executing works under this chapter or otherwise carrying into effect the provisions thereof, if such materials are not claimed and taken away by the owner before the expiration of fifteen days from the date on which they were removed by the local authority.

(2) A local authority selling any materials under sub-section (1) shall pay the sale proceeds to the person to whom the materials belonged, after deducting therefrom the amount of any expenses recoverable from him by such authority.

(3) The provisions of this section shall not apply to any offensive matter removed by a local authority under the Act governing such authority.

41. *Powers of entry and inspection.*—The executive authority or any officer of the Public Health Department of Government or of the local authority not below the rank of Health or Sanitary Inspector, may enter and inspect any premises for the purpose of enforcing any of the provisions contained in this Chapter:

Provided that—

(*a*) no such entry shall be made between sunset and sunrise except when a nuisance is caused by anything done or omitted to be done in the premises between sunset and sunrise;

(*b*) no dwelling house shall be so entered without the consent of the occupier thereof, unless he has received at least twenty-four hours previous notice of the intention to make such entry;

(*c*) sufficient notice shall in every case be given to enable the inmates of any apartment appropriated to women to withdraw to some part of the premises where their privacy may be preserved; and

(*d*) due regard shall be paid, so far as may be compatible with the exigencies of the purpose of the entry, to the social and religious usages of the persons residing in the premises.

42. *Power of Government in case of default by local authority.*—If the local authority or its Health Officer where a Health Officer has been employed by the local authority makes default in doing its or his duty under this Act in regard to the abatement or prevention of nuisances Government may authorise any of their officers to perform such duty and for that purpose to exercise any specified powers of the local authority or of its Health Officer or of both, in the local area concerned and the expenses incurred by such officers shall be met from the funds of the local authority.

43. *Nuisance caused by act or omission outside local area.*—If a nuisance under this Act within, or affecting any part of, a local area, appears to be wholly or partly caused by some act or default committed or taking place outside such local area, the local authority may take or cause to be taken against any person in respect of such act or default any proceedings in relation to nuisances, authorised by this Act in the like cases and with the like incidents and consequences as if the Act or default were committed or took place wholly within such local area.

44. *Prohibition of the deposit of rubbish, etc., in street, etc.*—(1) No person shall deposit, or cause or suffer any member of his family or household to deposit, any carcasses of animals, any dust, dirt, dung, ashes or refuse or filth of any kind, any animal matter, any broken glass, earthenware or other rubbish, or any other thing which is or may be a nuisance, in any street or

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in any arch under a street or in any drain beside a street or on any open space (not being private property), or on any quay, jetty or landing place, or on any part of the sea-shore, or on the bank of any watercourse, except in such receptacles as may be provided or at such places in such manner and at such hours, as may be fixed by the Health Officer.

(2) The local authority shall, as far as possible, provide dust bins in convenient places to enable persons to deposit rubbish and other things mentioned in sub-section (1).

(3) No person shall ease himself, or cause, permit or suffer any member of his family or household to ease himself in any such street, arch, drain, open space, quay, jetty, landing place, sea-shore or bank aforesaid.

CHAPTER VII

Prevention, Notification and Treatment of diseases

PART I

Infectious diseases in general

45. *Infectious diseases.*—For the purposes of this Part, "infectious disease" means (*a*) anthrax, (*b*) cholera, (*c*) diphtheria, (*d*) plague, (*e*) small-pox, or (*f*) any other disease which Government may from time to time, by notification, declare to be an infectious disease either generally throughout the State or in such part or parts thereof as may be specified in the notification.

46. *Appointment of additional health staff.*—(1) In the event of the prevalence or threatened outbreak of any infectious disease in any local area, or of any unusual mortality therein, the local authority concerned shall provide such additional staff, medicines, appliances, equipment and other things as may, in the opinion of the Health Officer, be necessary for the treatment of such infectious disease and preventing it from spreading, or for investigating the cause of such mortality, and preventing it, as the case may be :

Provided that, if the local authority does not agree with the opinion of the Health Officer, or the Director of Public Health the matter shall be referred to Government whose decision shall be final.

47. *Provision and maintenance of isolation hospitals and wards.*—Government may provide hospitals, wards or other places for the reception and treatment of persons suffering from infectious diseases.

48. *Provision of ambulances, etc.*—A local authority may, and if so required by the Director of Public Health shall.—

(*a*) provide and maintain suitable conveyances, with sufficient attendants and other requisites, for the free carriage of persons suffering from any infectious disease ; and

(*b*) provide proper places and apparatus and establishment for the disinfection of conveyances, clothing, bedding or other articles which have been exposed to infection ; and when any conveyances, clothing, bedding or articles are brought to any such place for disinfection, may cause them, at its discretion, to be disinfected, either free of charge, or on payment of such fee as it may fix.

49. *Medical practitioners to give information of certain infectious diseases.*—Every medical practitioner who in the course of his practice becomes cognizant of the existence of any case of enteric fever or tuberculosis in any private or public dwelling other than a public hospital shall if the case has not been already reported, give information of the same with the least practicable delay—

(*a*) in municipal areas, to the executive authority, the Health Officer or a Sanitary Inspector, and

(*b*) in non-municipal areas to the Health Officer, a Health or Sanitary Inspector or the Village Paryathiyakaran.

Explanation.—In this section, "medical practitioner" includes a *hakim* or *vaidya*, whether registered or not.

50. (1) *Prohibition of the use of water from suspected source.*—If it appears to the Health Officer that the water in any tank, well or other place if used for drinking or any other domestic purpose, is likely to engender or cause the spread of any infectious disease, he may, by public notice, prohibit the use of the said water generally or for any specified domestic purpose.

(2) No person shall use any water in respect of which any such notice has been issued in contravention of the terms thereof.

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51. *Removal of infected person to hospital.*—(1) If it appears to the Health Officer that any person is suffering from an infectious disease and that such person—

(*a*) (*i*) is without proper lodging or accomodation or

(*ii*) is lodged in a place occupied by more than one family, or

(*iii*) is without medical supervision directed to the prevention of the spread of the decease, or

(*iv*) is in a place where his presence is a danger to the people in the neighbourhood; and

(*b*) should be removed to a hospital or other place at which patients suffering from such disease are received for treatment,

the Health Officer may remove such person or cause him to be removed to such hospital or place.

(2) If any women, who according to custom, does not appear in public, is removed to any such hospital or place—

(*i*) the removal shall be effected in such a way as to preserve her privacy; and

(*ii*) special accomodation in accordance with the custom aforesaid shall be provided for her in such hospital or place.

(3) No person shall leave, or be taken away from, any hospital or other place referred to in sub-section (1) without the permission of the Medical Officer-in-charge or of the Health Officer.

(4) Whoever—

(*a*) obstructs the removal any person to any hospital or other place under sub-section (1), or

(*b*) leaves, or takes away any person from, any such hospital or place in contravention of sub-section (3) shall be punished with simple imprisonment which may extend to three months or with fine, or with both.

52. *Prohibition of the exposure of other persons to infection.*—(1) No person who knows that he is suffering from an infectious disease not specified in part II of this Chapter shall expose other persons to the risk of infection by his presence or conduct in—

(*a*) any market, theatre or other place of entertainment or assembly, or

(*b*) any school, college, playground or such other place, or

(*c*) any hotel, hostel, boarding house, choultry, rest-house; or club, or

(*d*) any factory or shop.

Explanation.—A person shall be deemed to know that he is suffering from an infectious disease within the meaning of this sub-section if he has been informed by the health Officer or any other officer of the Public Health Department of the Government or of a local authority, not below the rank of Health or Sanitary Inspector, or a medical practitioner that he is suffering.

(2) No person who has the care of a person whom he knows to be suffering from an infectious disease not specified in Part II of this chapter shall cause or permit that person to expose others to the risk of infection by his presence or conduct in any place referred to in sub-section (1).

53. *Infected persons not to engage in certain trades and occupations.*—No person shall, while suffering from, or in circumstances in which he is likely to spread, any infectious disease—

(*a*) make, carry or offer for sale, or take any part in the business of making, carrying or offering for sale, any article of food for human consumption; or

(*b*) engage in any other occuptation without a special permit from the Health Officer of the local authority concerned or otherwise than in accordance with the conditions specified therein.

54. *Prenention of infectious diseases transmissible from animals.*—If, in any local area, any infectious disease transmissible to man breaks out or is in the opinion of the Health Officer likely to break out, amongst cattle, or other animals, it shall be the duty of the Health Officer to recommend to the local authority the adoption of such measures as he may deem necessary for suppressing or mitigating the disease or for preventing the outbreak or threatened outbreak thereof; and the local authority shall consider such recommendations and take such action thereon as to it may seem suitable.

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PART II

Notified Infectious Diseases

55. *Notified diseases.*— In this Part, notified disease means,—

(*a*) cholera,

(*b*) diphtheria,

(*c*) small-pox,

(*d*) any other disease which Government may from time to time by notification declare to be a notified disease for the purpose of this Part either generally throughout Cochin State or in such part or parts thereof as may be specified in the notification.

56. *Information regarding notified disease.*—Every medical practioner who, in the course of his practice, becomes cognizant of the existence of any notified disease in any private or public dwelling other than a public hospital, and

every manager of any factory or public building, every keeper of a lodging house, every head of a family and every owner or occupier of a house, who knows or has reason to believe that any person in any premises under his management, control or occupation is suffering from, or has died of, a notified disease.

shall, if the case has not been already reported, give information of the same with the least practicable delay—

(*a*) in Municipal areas, to the executive authority, the Health Officer or a Sanitary Inspector, and

(*b*) in Non-Municipal areas, to the Health Officer, a Health or Sanitary Inspector or the Parvathiyakaran.

Explanation.—In this section, "Medical Practioner" includes a *hakim* or *vaidya* whether registered or not.

57. *Power of entry of local officers to take preventive measures.*—(1) The Health Officer or any person authorised by him in this behalf may—

(*a*) at all reasonable hours, inspect with or without assistants any place in which any notified diseases is reported or suspected to exist, without notice in the case of factories, work-shops, work-places, offices, business places and the like and after giving such notice as may appear to him reasonable in other cases, including dwelling houses; and

(*b*) take such measures as he may consider necessary by disinfecting or cleansing the place to prevent the spread of such disease.

(2) The powers conferred by sub-section (1) on the Health Officer may, in municipal areas be exercised also by the executive authority or any person authorised by such authority.

58. *Destruction of hut or shed to prevent spread of infection.*—(1) If it appears to the Health Officer that the destruction of any hut or shed is necessary to prevent the spread of any notified disease, he may, after giving to the owner and the occupier of such hut or shed such previous notice of his intention as may in the circumstances of the case appear to him reasonable, take measures for having such hut or shed and all the materials thereof destroyed.

(2) Such compensation as the local authority may consider reasonable, shall be paid to any person who in its opinion sustains loss by the destruction of any hut or shed under the powers conferred by sub-section (1); but save as provided in this sub-section, no claim for compensation shall lie for any loss or damage caused by any exercise of the powers aforesaid.

59. *Closure of lodging houses.*—If, on the application of the Health Officer, a Magistrate is satisfied that it is necessary in the interests of public health that a lodging house or any place where articles of food are sold, or prepared, stored, or exposed for sale, or distributed, should be closed on account of the existance or recent occurrence in such lodging house or place of a case of notified disease the Magistrate may, by order, direct it to be closed until the expiry of such period as may be specified in the order or until it is certified by the Health Officer to be free from infection.

60. *Infected clothes not to be sent to laundry.*—No person shall—

(1) send or take to any laundry or public wash-house or any public water-course, tank, or well, for the purpose of being washed or to any place for the purpose of being cleaned any clothing, bedding or other articles which he knows to have been exposed to infection from any notified disease, unless such article has been disinfected by, or to the satisfaction of, the Health Officer, or a registered medical practioner, or unless under instructions from such a person, it is sent with proper precautions to a laundry for the purpose of disinfection with notice that it has been exposed to infection; or

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(2) place or cause or permit to be placed in any dustbin or other receptacle for the deposit of refuse any matter which he knows to have been exposed to infection from a notified disease and which has not been disinfected.

61. *Infected persons not to use public conveyance.*—(1) No person who knows that he is suffering from a notified disease shall—

(*a*) enter any public conveyance used for the conveyance of passengers at separate fares, or

(*b*) enter any other public conveyance, without previously notifying the owner, driver or conductor thereof that he is so suffering.

(2) No person having the care of a person whom he knows to be suffering from a notified disease shall permit that person to be carried—

(*a*) in any public conveyance used for the conveyance of passengers at separate fares, or

(*b*) in any other public conveyance, without previously notifying the owner, driver or conductor thereof that the person is so suffering.

(3) The owner, driver, or conductor of a public conveyance used for the conveyance of passengers at separate fares shall not convey therein a person whom he knows to be suffering from a notified disease at any time when a passenger not suffering from such disease is being conveyed therein:

Provided that a person suffering from a notified disease may be conveyed in the public conveyance aforesaid, in such cases of emergency and subject to such restrictions and safeguards as may be notified by Government.

(4) The owner or driver of any public conveyance may refuse to convey therein any person suffering from notified disease until he has been paid a sum sufficient to cover any loss and expense which will be incurred by reason of the provisions of the next succeeding sub-section.

(5) If a person suffering from a notified disease is conveyed in a public conveyance, the person in charge thereof shall as soon as practicable give notice to the Health Officer of the local area in which the conveyance is usually kept and before permitting any other person to enter the conveyance shall cause it to be disinfected.

(6) The local authority when so requested by the person in charge of a public conveyance in which a person suffering from a notified disease has been conveyed shall provide for its disinfection.

62. *Letting or sub-letting a building occupied by an infected person.*—No person shall, without a special permit from the Health Officer, let or sub-let, or permit or suffer any prospective tenant to enter, a building in which he knows or has reason to know that a person has been suffering from a notified disease, within the two months immediately preceding.

63. *Prohibition of the exposure of other persons to infection.*—(1) No person who knows that he is suffering from a notified disease shall expose other persons to the risk of infection by his presence or conduct in—

(*a*) any street or public place, or

(*b*) any market, theatre or other place of entertainment or assembly, or

(*c*) any school, college, play-ground or such other place, or

(*d*) any hotel, hostel, boarding house, choultry, rest-house or club, or

(*e*) any factory or shop.

Explanation.—A person shall be deemed to know that he is suffering from a notified disease within the meaning of this sub-section if he has been informed by the Health Officer or any other officer of the Public Health Department of the Government or of a local authority, not below the rank of Health or Sanitary Inspector, or a medical practitioner that he is so suffering.

(2) No person who has the care of a person whom he knows to be suffering from a notified disease shall cause or permit that person to expose others to the risk of infection by his presence or conduct in any place referred to in sub-section (1).

64. *Forbidding work in infected premises.*—(1) If a case of notified disease occurs on any premises, the Health Officer may, whether the person suffering from the disease has been removed from the premises or not, make an order forbidding any work to which this section applies, to be given out to any person living or working on those premises or in such part thereof as may be specified in the order, and any order so made may be served on the occupier of the factory from which the work is given out or on any contractor employed by such occupier.

(2) An order under this section may be expressed to be operative for a specified time or until the premises or any part thereof specified in the order have been disinfected to the

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satisfaction of the Health Officer, or may be expressed to be inoperative so long as any other reasonable precautions specified in the order are taken.

(3) This section applies to the making, cleaning, washing, altering, ornamenting, finishing or repairing of wearing apparel and any work incidental thereto, and to such other classes of work as may from time to time be notified by the Director of Public Health.

65. *Prohibition of use of public library by infected person.*—No person who knows that he is suffering from a notified disease shall take any book, or cause any book to be taken for his use, or use any book taken, from any public or circulating library.

66. *Disposal of bodies of persons dying while suffering from notified disease.*—(1) No person having the charge or control of the body of any person who has died while suffering from a notified disease shall permit or suffer persons to come unnecessarily into contact with, or proximity to, the body.

(2) No person shall, without the sanction in writing of an officer of the Public Health Department of the Government or of the local authority concerned not below the rank of Health or Sanitary, Inspector, retain in any premises (elsewhere than in a public mortuary) for more than twelve hours the body of any person who has died while suffering from any notified disease.

(3) (*a*) If any such body (not being a body kept in a mortuary) remains undisposed of for more than twelve hours without the sanction referred to in sub-section (2), or

if the dead body of any person is retained in any building so as to endanger the health of the inmates of such building, or of any adjoining or neighbouring building, any Magistrate may, on the application of any officer referred to in sub-section (2), order the body to be removed and disposed of within a specified time.

(*b*) A Magistrate may, in the case of the body of a person who has died while suffering from a notified disease, or in any other case in which he considers the immediate disposal of the body necessary, direct the body to be so disposed of, unless the friends or the relatives of the deased undertake the disposal of the body within a time specified in the order.

(*c*) The expenses of the removal and disposal of any body under clause (*a*) or clause (*b*) shall be borne by the local authority; but such expenses may be recovered, as if it were arrear of revenue due to Government from any person who would have been legally liable therefor, but for such removal and disposal, unless in the opinion of the local authority he is too poor to do so.

(4) (*a*) If any person dies in a hospital or a place of temporary accommodation for the sick, while suffering from a notified disease, and the Health Officer certifies that in his opinion it is desirable, in order to prevent the spread of infection, that the body should not be removed from such hospital or place except for the purpose of being taken direct to a burial or burning ground or a crematorium for being forthwith buried or cremated, no person shall remove the body from the hospital or place except for such a purpose.

(*b*) When the body is removed for the purpose aforesaid, it shall forthwith be taken direct to a burial or burning ground or a crematorium, and there buried or cremated with the least practicable delay.

(5) Without the permission of the Health Officer or a Magistrate, no person shall cause or permit to be carried in a public conveyance the dead body of any person who has died while suffering from a notified disease.

67. *Power of Magistrate to prohibit an assembly of fifty or more persons.*—In the event of the prevalence of a notified disease in any local area, on the application of the Health Officer, any Magistrate having local jurisdiction shall have power to prohibit either generally, or by special order in any individual case, assemblages consisting of any number of persons exceeding fifty, in any place whether public or private, or in any circumstances, or for any purpose, if in his opinion such assemblages in such place, in such circumstances or for such purpose, would be likely to become a means of spreading the disease or of rendering it more virulent.

68. *Power of Government to confer special powers on officers to control notified diseases.*—(1) In the event of the prevalence or threatened outbreak of a notified disease in any local area, Government may, by notification—

(*a*) declare that such local area is visited or threatened with an outbreak of notified disease, and

(*b*) confer on the Health officer or any other officer of the local authority concerned or on any officer of Government, all or any of the powers specified in sub-section (2).

(2) The powers which may be conferred under sub-section (1) are—

(*a*) power to order the evacuation of infected houses and houses adjoining them or in their neighbourhood;

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(*b*) power to make vaccination and preventive inoculations compulsory subject to the provisions of sub-section (3);

(*c*) power to direct—

(*i*) that persons residing in any building adjacent to or in the neighbourhood of an infected building shall be examined by any specified medical officer or by any one of a specified class of medical officers,

(*ii*) that the clothing, bedding or other articles belonging to such persons shall be disinfected, if there is a reason to suspect that they have been exposed to infection; and

(*d*) power to take such measures as may be necessary—

(*i*) in respect of, or in relation to, persons exposed to infection from any notified disease, or likely to infect other persons with any such disease; and

(*ii*) in respect of, or in relation to, article exposed to infection from any notified disease, or likely to infect persons with any such disease, including, in case (*i*) the placing of restrictions on the movements of such persons, and in case (*ii*) the destruction of such articles and the placing of restrictions on their export from, import into, or transport within, the local area;

(*e*) power to direct that at any place within or outside the local area, any consignment of grain exported from, or imported into, such area by rail, road or otherwise, shall be examined and, if necessary, unloaded and disinfected in any specified manner; and

(*f*) power to close all or any existing markets and to appoint special places where markets may be held.

(3) (*a*) If any person who, or a child in whose care, is sought to be vaccinated or inoculated in pursuance of the power referred to in clause (*b*) of sub-section (2), declares before a Magistrate specially empowered by Government in this behalf that as a result of a careful inquiry into the subject, he believes that such vaccination or inoculation will be injurious to his health or the health of the child, as the case may be, the Magistrate may, after giving notice to the Health Officer and hearing any representations made by him or on his behalf, exempt such person or child from vaccinatien or inoculation, on condition of the person aforesaid undertaking to subject himself and the members of his family to isolation of such description and for such period and to such further restrictions, if any, as may be directed by the Magistrate;

(*b*) any person who commits a breach of any undertaking given by him under clause (*a*) shall be punished with simple imprisonment which may extend to three months, or with fine, or with both.

(4) Any officer on whom powers are conferred by a notification under sub-section (1) shall, subject to such limitations, restrictions and conditions, if any, as Government may in the same or in any subsequent notification impose, exercise every power so conferred on him until it is withdrawn by notification,

(5) Government may, in their discretion, give compensation to any person who in its opinion has sustained substantial loss by the destruction of any property under the powers conferred by this section; but save as provided in this sub-section, no claim for compensation shall lie for any loss or damage caused by any exercise of the powers aforesaid.

69. *Destruction of rats, mice, etc.*—(1) The occupier of every premises, or if the premises are unoccupied, the owner thereof, shall take such steps as may be reasonably practicable for the destruction of rats, mice and other animals susceptable to plague infesting such premises.

(2) Where the Health Officer is of opinion that the occupier or owner of any premises has failed to fulfil the obligation laid on him by sub-section (1) he may either—

(*a*) serve a notice on such occupier or owner, requiring him to take such steps and within such time as may be specified in the notice, or

(*b*) enter upon such premises and take such steps as may be necessary for the purpose of destroying the rats, mice and other animals susceptible to plague infesting the same, after giving not less than twenty-four hours previous notice to such occupier or owner.

PART III

Venerial diseases

70. *Provision for treatment of venereal disease by local authorities.*—A local authority may, and if so required by Government shall, make such arrangements in its local area as may be directed by Government for—

(*a*) the free diagnosis and treatment of persons suffering or suspected to suffer from venereal diseases; and

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(*b*) the prevention of infection from such diseases.

PART IV

Leprosy

Definitions

71. *Definitions.*—In this part—

(*a*) "leprosy" means open leprosy, that is to say, that form of the disease in which leprosy bacilli can be demonstrated from the mucous membrane of the patient's nose or from his skin, by any recognised standard method of examination approved by the Chief Medical Officer.

(*b*) "authorised practitioner" means a medical practitioner authorised by Government in this behalf.

General

72. *Provision for treatment of leprosy by local authorities.*—A local authority may, and if so required by Government shall, make such arrangements in its local area as may be directed by Government for—

(*a*) the free diagnosis and treatment of persons suffering or suspected to suffer, from leprosy, and

(*b*) the prevention of infection from leprosy.

73. *Persons suffering from leprosy not to engage in certain occupations.*—(1) No person suffering from leprosy shall, until he is certified by an authorised practitioner to be non-infectious and to have been so for a period of not less than three months, engage himself or accept any employment—

(*i*) as a cook, attendant, workman, salesman, server or carrier in any place where food is sold to members of the public or is prepared or stored for such sale.

(*ii*) as a dairy worker tending on, or milking cows whose milk is to sold or distributed to members of the public, or as a seller or distributor of milk to members of the public.

(*iii*) as a driver or conductor of a public conveyance.

(*iv*) as a public servant, or

(*v*) in an other capacity which, in the opinion of the Health Officer, involves deleterious contact with other persons not suffering from leprosy.

(2) No person suffering from leprosy shall, until he is certified by an authorised practitioner to be non-infectious and to h ve been so for a period of not less than six months—

(*a*) attend any school, college, play ground, theatre or other similar place, or

(*b*) engage himself or accept any employment—

(*i*) as a doctor, nurse, midwife, *ayah* or orderly,

(*ii*) as a barber or hair-dresser,

(*iii*) as a tailor,

(*iv*) as a dobhi or launderer,

(*v*) as a house servant, personal attender or peon, or

(*vi*) in any other capacity which, in the opinion of the Health Officer involves deleterious contact with children.

(3) No one who has the care of any person suffering from leprosy shall cause or permit such person to engage himself or accept any employment in any of the capacities referred to in sub-section (1), or to attend any place until he is certified by an authorised practitioner as set forth in sub-section (1) or sub-section (2) as the case may be.

(4) No one shall engage or employ any person suffering from leprosy in any of the capacities referred to in sub-section (1) until he is certified by an authorised practitioner as set forth in sub-section (1).

Special areas

74. *Persons suffering from leprosy not to use public conveyance.*—(1) No person suffering from leprosy shall—

(*a*) enter any public conveyance used for the conveyance of passengers at separate fares, or

(*b*) enter any other public conveyance without previously intimating to the owner, driver or conductor thereof that he is suffering from leprosy.

(2) No person who has the care of a person suffering from leprosy shall permit him to be carried—

(*a*) in any public conveyance used for the conveyance of passengers at separate fares, or

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(*b*) in any other public conveyance, without previously intimating to the owner, driver or conductor thereof that he is suffering from leprosy.

(3) The owner, driver or conductor of a public conveyance used for the conveyance of passangers at separate fares shall not convey therein a person suffering from leprosy at any time when a passanger not suffering from leprosy is being conveyed therein:

Provided that a person suffering from leprosy may be conveyed in the public conveyance aforesaid in such cases of emergency and subject to such restrictions and safeguardes as may be notified by Government.

(4) The owner or driver of any other public conveyance may refuse to convey therein any person suffering from leprosy until he has been paid a sum sufficient to cover any loss and expense which will be incurred by reason of the provisions of the next succeeding sub-section.

(5) If a person suffering from leprosy is conveyed in a public conveyance the person in charge thereof shall as soon as practicable give notice to the Health Officer of the local area in which the conveyance is usually kept and before permitting any other person to enter the conveyance, shall cause it to be distinfected.

(6) The local authority, when so requested by the person in charge of a public conveyance in which a person suffering from leprosy has been conveyed, shall provide for its disinfection.

75. *Prohibition of persons suffering from leprosy from attending School, College, or taking out books from Public Libraries.*—(1) No person suffering from leprosy shall—

(*a*) attend any school, college, playground or such other place, or

(*b*) take any book or cause any book to be taken for his use or use any book taken, from any public or circulating library.

(2) No person who has the care of a person suffering from leprosy shall permit him to do any of the acts prohibited by sub-section (1).

Segregation

76. *Segregation of persons suffering form leprosy.*—Government may, provide segregation accommodation for persons suffering from leprosy, in respect of such areas as may be specified.

(*i*) The Health Officer may, by notice, require any person suffering from leprosy and residing within his jurisdiction to remove himself to such segregation accommodation as may be specified in the notice and remain there until such time as he is certified by an authorised practitioner to be no longer infectious.

(*ii*) The notice shall allow a reasonable period for compliance therewith.

(*iii*) If the person suffering from leprosy does not comply with the notice within the period allowed therein, the Health Officer may have him compulsorily removed to the segregation accommodation specified therein, using such force as may be reasonably necessary for the purpose.

(*iv*) The Health Officer may permit any person detained in the segregation accommodation to engage himself or accept employment in any of the capacities other than those specified in section 73, provided that it does not involve the performance of any act specifically prohibited by this Act.

(*v*) The notice referred to in clause (*i*) may be given to the person who has the care of a person suffering from leprosy, and thereupon it shall be the duty of the former to remove the person suffering from leprosy to the segregation accommodation specified in the notice.

(*vi*) If any person suffering from leprosy escapes from, or leaves the segregation accommodation provided for him, without the written permission of the Health Officer or any other Officer auhthorised by him in this behalf, such person may be arrested without a warrant by any police officer or by any one specially empowered by Government and removed forthwith to such segregation accommodation.

(*vii*) The local authority shall arrange for the food, clothing and other necessaries of every person suffering from leprosy who is detained in the segregation accommodation, but any such person shall be at liberty to make his own arrangements for his food, clothing or other necesssaries.

(*viii*) If any person is arrested under clause (*vi*) after having been arrested and dealt with under that clause on at least three previous occasions, he shall if the Health Officer so directs in writing be produced before the District Magistrate or a Magistrate of the First Class who

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shall have power to order his detention in a leprosy annexe attached to a prison, until such time as he is certified by an authorised practitioner to be no longer infectious; and thereupon all the provisions of the law for the time being in force shall so far as may be and with such modifications, if any, as may be prescribed, apply to such person, as if he had been sentenced to simple imprisonment for the period for which such detention was ordered.

If the Magistrate does not order such detention or if the order scuh detention p·ssed by him is subsequently cancelled, the person arrested or detained, as the case may be, shall forthwith be removed to the segregation accommodation aforesaid.

Revocation of Certificates

77. *Power to require fresh certificate that person suffering from leprosy is not infectious.*—Where any authority prescribed in this behalf has reason to believe that a certificate such as is referred to in section 73 or in clause (1) of section 76 issued in respect of any person suffering from leprosy has ceased to be correct by reason of his having subsequently become infectious, such authority may require such person to obtain a fresh certificate from any authorised practitioner of his choice, as to the character of his leprosy, that is to say, as to whether he is or is not infectious.

Unless a fresh certificate as aforesaid is obtained by the person suffering from leprosy within such period as may be prescribed and such certificates declare him to be non-infectious, the certificate previously issued shall, for the purposes of all the provisions contained in this part, be deemed to have been cancelled.

PART V

Power to Make Rules

78. *Rules for the prevention, treatment and control of certain diseases.*—Government shall have power to make such rules as they deem fit for the treatment of persons affected with any epidemic, endemic or infectious disease including leprosy as defined in section 71 and for preventing the spread of such diseases and the rules may declare by what authority or authorities such rules shall be enforced and executed.

CHAPTER VIII

Mosquito Control

79. *Prohibition of mosquito breeding in collections of water.*—(1) If the provisions of this section have been extended to any local area, no person or local authority shall, after such extension—

(*a*) have, keep, or maintain within such area any collection of standing or flowing water in which mosquitoes breed, or are likely to breed, or

(*b*) cause, permit, or suffer any water within such area to form a collection in which mosquitoes breed or are likely to breed, unless such collection has been so treated as effectively to prevent such breeding.

Explanation.—Troughs used for cattle and in frequent use shall not, until the contrary is proved, be deemed to be collections of water in which mosquitoes breed or are likely to breed.

(2) The natural presence of mosquito larvae in any standing or flowing water shall be evidence that mosquitoes are breeding in such water.

80. *Treatment of mosquito breeding places.*—(1) The Health Officer may, by notice in writing require the owner or the occupier of any place containing any collection of standing or flowing water in which mosquitoes breed or are likeley to breed, within such time as may be specified in the notice, not being less than three days, to take such measures with respect to the same, or to treat the same by such physical, chemical or boilogical method, being measures or a method approved by the Director of Public Health, as the Health Officer may consider suitable in the circumstances.

(2) If a notice under sub-section (1) is served on the occupier he shall, in the absence of a contract expressed or implied, to the contrary, be entitled to recover from the owner the reasonable expenses incurred by him in taking the measures or adopting the method of treatment, specified in the notice, and may deduct the amount of such expenses from the rent which is then, or which may thereafter be, due from him to the owner.

81. *Health Officer's powers in case of default.*—If the person on whom a notice is served under section 84 fails or refuses to take measures, or adopt the method of treatment specified in such notice within the time specified therein, the Health Officer may himself take such measures

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or adopt such treatment and recover the cost of doing so from the owner or occupier of the property, as the case may be, in the same manner as if it were a property tax.

82. *Protection of anti-mosquito works.*—Where, with the object of preventing the breeding of mosquitoes in any land or building, Government or any local authority, or the owner or occupier at the instance of Government or any local authority, has constructed any works in such land or building, the owner for the time being as well as the occupier for the time being of such land or building shall prevent its being used in any manner which causes, or is likely to cause, the deterioration of such works, or which impairs, or is likely to impair, their efficiency.

83. *Prohibition of interference with such works.*—(1) No person shall, without the consent of the Health Officer, interfere with, injure, destroy or render useless any work executed or any material or thing placed in, under, or upon any land or building, by or under the orders of the Health Officer with the object of preventing the breeding of mosquitoes therein.

(2) If the provisions of sub-section (1) are contravened by any person, the Health Officer may re-execute the work or replace the materials or things, as the case may be and the cost of doing so shall be recovered from such person in the same manner as if it were a property tax.

84. *Power of Health Staff to enter and inspect premises.*—For the purpose of enforcing the provisions contained in this Chapter, the Health Officer or any of his subordinates not below the rank of health or Sanitary Inspector, may at all reasonable times, after giving such notice in writing as may appear to him reasonable, enter and inspect any land or building within his jurisdiction; and the occupier or the owner, as the case may be, of such land or building, shall give all facilities necessary for such entry and inspection, and supply all such information as may be required of him for the purpose aforesaid.

CHAPTER IX

Sanitation and Buildings

PART I

Control over Insanitary Buildings

85. *New building not to be erected on certain sites.*—(1) No person shall erect a new building on any ground which has been filled up with faecal or offensive vegetable or offensive animal matter or upon which any such matter has been deposited, unless and until the Health Officer certifies that such matter has been properly removed by excavation or otherwise or has become or been rendered innocuous

(2) Against the refusal of the Health Officer to issue a certificate under sub-section (1), an appeal shall lie to Government whose decision shall be final.

86. *Cleansing of court yard or passage used in common.*—(1) If any court, yard or passage which is used in common by the occupants of two or more buildings but is not a public street, is not regularly swept and kept clean and free from rubbish or other accumulation to the satisfaction of the Health Officer, he may cause such court, yard or passage to be swept and cleansed.

(2) The local authority may recover any expenses reasonably incurred by the Health Officer under sub-section (1) from the occupants of the buildings which front or about on the court or yard, or to which the passage affords access, in such proportions as may be determined by the Health Officer.

87. *Dwelling house unfit for human habitation to be vacated.*—(1) If any dwelling house or portion thereof appears to the Health Officer to be unfit for the purpose of human habitation he may in cases not falling under section 39 apply to the local authority to prohibit the use thereof for such purpose and such authority shall make an order prohibiting the use of such dwelling house or portion for human habitation until in the opinion of the Health Officer it is rendered fit therefor:

Provided that before making an order under this sub-section the local authority shall give the owner and the occupier or occupiers, if any concerned a reasonable opportunity of showing cause why it should not be made.

(2) When any order has been made under sub-section (1) the executive authority shall cause a copy of the order to be communicated to the owner as well as to every occupier concerned; and every such occupier shall be bound to cease to inhabit the dwelling house or portion thereof, as the case may be, within thirty days after the communication of the order to him.

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(3) The owner of any dwelling house or portion of a dwelling house in respect of which an order under sub-section (1) is in force, shall not let or occupy, or permit to be let or occupied, such dwelling house or portion, or any part thereof, as a human habitation.

PART II

Abatement of Over-crowding

88. *Definitions.*—In this part—

(1) "tenement" means a dwelling house and includes—

(*a*) any part of a dwelling house which is capable of separate occupation; and

(*b*) a student's hostel under public or recognised control, but does not include a dwelling house or part of a dwelling house occupied by the owner thereof; and

(2) "landlord" means the immediate landlord of the occupier or occupiers of a tenement.

89. *Duties of landlord.*—A landlord of a tenement—

(*a*) shall maintain it in a habitable condition; and

(*b*) except temporarily on occasion such as marriages and the like, shall not cause or permit the tenement to be over-crowded:

Provided that no proceedings shall be instituted against the landlord in respect of any infringement by him of the provisions of this section, unless a notice in writing that the tenement is not in a habitable condition or that it is overcrowed, has been served upon the landlord or his agent by the Health Officer, and the landlord fails within such time as may be specified in such notice to take such steps as may be reasonably open to him for putting the tenement in a habitrable condition or for securring the abatement of the over-crowding therein, as the oase may be, including, if necessary the taking of legal proceedings for possession of the tenement.

90. *Power to make rules.*—Government shall have power to make rules for determining

(*a*) whether a tenement or any class of tenements is or is not maintained in a habitable condition within the meaning of section 98; and

(*b*) whether a tenement or any class of tenements is or is not over-crowded within the meaning of that section.

CHAPTER XI

Food Control

91. *Prohibition of sale of unsound food.*—(1) No person shall—

(*a*) sell, expose or hawk about for sale, any animal intended for human consumption which is diseased, or keep, store or prepare for sale, the flesh of any animal which has died on account of natural causes, or

(*b*) sell, expose or hawk about for sale, or keep, store, manufacture or prepare for sale any food or drug intended for human consumption which is unfit for such purpose or is unwholesome.

(2) In any prosecution under sub-section (1), the Court shall, unless and until the contrary is proved, presume—

(*a*) that any animal found in the possession of a person who is in the habit of keeping animals of that class for sale for human consumption, has been kept by such person for sale, and

(*b*) that any food or drug found in the possession of a person who is in the habit of keeping, storing, manufacturing or preparing such food or drug for sale for human consumption has been kept, stored, manufactured or prepared by such person for sale.

92. *Punishment of contravening provisions of section 92 through others.*—(1) Any person who does any of the acts mentioned in sub-section (1) of section 91 or in clause (*a*) to (*d*) of sub-section (1) of section 4 of the Cochin Prevention of Food Adulteration Act, XIV of 1109, through others employed by him, whether the latter be adults or children, shall be liable to punishment for such act as if he had himself done the same.

(2) If a child under seven years of age does any of the acts aforesaid, the employer of the child, whether he be the parent of the child, or not shall be liable to punishment for such act as if had himself done the same.

93. *Flesh of dead animals not to be consumed.*—No person shall knowingly consume the flesh of any animal which has died on account of natural causes.

Explanation.—It shall be no defence to a prosecution under this section that the flesh was consumed as a matter of custom, as a matter of right on account of services rendered in removing dead cattle, or on any other ground.

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94. *Importing meat into local area.*—(1) No person shall bring into any local area, without the permission in writing of the Health Officer thereof the flesh of any animal slaughtered outside the local area otherwise than in a slaughterhouse maintained or licensed by Government or by a local authority.

(2) Any flesh brought into the local area in contravention of sub-section (1) may be seized by the Health Officer or any Officer or servant of the local authority authorised by him in that behalf, and sold or otherwise disposed of as the Health Officer may direct; and in case of sale, the sale-proceeds shall be credited to the funds of the local authority.

(3) Nothing in this section shall be deemed to apply to—

(*a*) cured or preserved meat, or

(*b*) flesh or meat carried through any local area for consumption outside the limit thereof and not stored anywhere within such limits in the course of transit, or

(c) flesh or meat brought into the local area by any person for immediate domestic consumption and not for sale.

Provided that the local authority may, by public notice direct that the provisions of this section shall apply to cured or preserved meat of any specified description or brought from any specified place.

95. *Power of Health Officer to enter premises used for food trade.*—The Health Officer may, without notice, enter any place at any time, by day or by night, where an article of food is being manufactured, prepared, exposed or stored for sale, and inspect such article and any utensil or vessel used for manufacturing, preparing or containing the same.

96. *Power of Health Officer to deal with carriers of disease handling food.*—(1) The Health Officer may, at any time examine any person engaged in selling, or in manufacturing or preparing for sale, or in any manner whatsoever handling any article of food intended for sale.

(2) In no such examination the Health Officer finds that such peeson is suffering from or harbouring the germs of, any infectious disease, such person shall not take part in selling any article of food or in manufacturing, preparing or in any manner hand ing any article of food intended for sale, until the Health Officer certifies in writing that he is free from infection from such disease.

97. *Investigation of diseases caused by milk or dairy produce.*—(1) If the Health Officer has reason to believe—

(*a*) that any person within the local area over which he has jurisdiction is suffering from an infectious disease attributable to milk or dairy produce supplied within such area; or

(*b*) that the consumption of any milk or dairy produce supplied within such local area is likely to cause any person therein to suffer from an infectious disease, the Health Officer may require the person supplying the milk or dairy produce to furnish within such time as may be fixed by the Health Officer, a complete list of all dairies (whether situated within or outside the limits of the local area) from which that person's supply of milk or dairy produce is derived or has been derived during the six weeks immediately preceding.

(2) If such supply or any part of such supply is obtained, not directly from a dairy but through some other person, the Health Officer may make a similar requisition upon such other person.

(3) Every person on whom any requisition is made under sub-section (1) or sub-section (2) shall be bound to comply therewith.

98. *Inspection of dairy by Health Officer.*—(1) The Health Officer may inspect any dairy referred to in section 97 and the milch cattle and the employees therein, and if, on such in spection, the Health Officer is of opinion that any infectious disease is caused or is likely to be caused, by the consumption of the milk or dairy produce supplied from such dairy, he may make an order prohibiting the supply of any milk or dairy produce for human consumption from such dairy.

(2) An order made under sub-section (1) shall be forthwith cancelled by the Health Officer on his being satisfied that the milk supply has been changed, or that the employees objected to by him have ceased to work at the dairy, or that the cause of infection has been removed.

(3) If an order made under sub-section (1) or cancelled under sub-section (2) relates to a dairy situated outside the limits of the local area, the Health Officer shall also inform the local authority within whose jurisdiction the dairy is situated.

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(4) When an order is made under sub-section (1), the Health Officer may either—

(*a*) permit the milk or other produce of the dairy, after being boiled or treated in such other manner as he may direct, to be sold or used as animal food, subject to any reasonable restrictions he may impose, or

(*b*) cause such milk or dairy produce to be destroyed.

(5) No person shall sell or supply any milk or dairy produce in contravention of the provisions of this section.

CHAPTER XI

Fairs and Festivals

99. *Notification of fairs and festivals by Government.*—Government may, by notification—

(*a*) declare that any local area or part of a local area in which a fair or festival is to be held shall, for the purpose of this chapter be a notified fair or festival centre, for such period as may be specified in the notification ; and

(*b*) define the limits of the area which shall for the purposes aforesaid, be the site for the fair or festival.

100. *Notice to be given of fair or festival.*—(1) The person or authority in charge of any fair or festival shall not less than sixty days before its commencement, intimate to the executive authority or Health Officer of the local authority concerned, or in case the fair or festival is to be held within the jurisdiction of more than one local authority, to the executive authority or Health Officer of each of the local authorities concerned, the date of the commencement of such fair or festival, and the period for which it will last.

(2) The person or authority in charge of the fair or festival shall also furnish such other particulars relating to the fair or festival as may be called for by the executive authority or Health Officer of the local authority or any of the local authorities concerned.

101. *Sanitary arrangements, etc.*—The local authority within whose jurisdiction a fair or festival is held, or if it is held within the jurisdiction of two or more local authorities, any person or committee appointed by such local authorities jointly, may, in cusultation with the Health Officers concerned, make provision for—

(1) the demarcation and preparation of the site of the fair or festival ;

(2) the clearing and draining of the site ;

(3) the disposition of the several parts of the fair or festival, including the alignment of roads within the site ;

(4) the supply in sufficient quantities of water fit for drinking and cooking purposes for the use of persons resorting to the fair or festival and the proper preservation of such water ;

(5) the accommodation of pilgrims and visitors, to such extent as may be practicable ;

(6) the lighting of the fair or festival centre ;

(7) the supply by suitable persons of wholesome food, at reasonable rates, and in such quantity as may be necessary to persons resorting to the fair or festival and the proper supervision and inspection of all food prepared or offered for sale or stored or in course of transit within the fair or festival centre ;

(8) the collection, removal and disposal of refuse, rubbish and sewage ;

(9) the supply and maintenance of suitable latrines for the use of persons resorting to the fair or festival ;

(10) the detection and segregation of cases of infectious disease and the prevention of the introduction and spread of such diseases ;

(11) the employment of adequate medical staff, the provision of medical relief, and the furnishing of hospital accommodation both for general and isolation purposes ; and

(12) such other purposes as may be prescribed.

102. *Health Officer to supervise the arrangements.*—The arrangements mentioned in section 101 shall be executed under the supervision of the executive authority or the executive officer of the local authorities where there are local authorities and in other cases of the Health Officer concerned, or if the fair or festival is held within the jurisdiction of more than one local authority, under the supervision and control of the Health Officer of one of such local authorities designated by the person or committee referred to in section 101 or in case no Health Officer is so designated, under the supervision and control of the Health Officers concerned within their respective local areas.

103. *Power to enter and seize unwholesome food.*—(1) The Health Officer, or a Health or Sanitary Inspector of the local authority or of any of the local authorities concerned, or any

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officer of Government or of any such local authority appointed by Government in this behalf, may—

(*a*) enter and inspect any building or shop in the fair or festival centre, which is a source of food supply;

(*b*) for the purpose of inspection, have access to any source of water-supply on such centre or within such distance therefrom as Government may, by general or special order, determine, and

(*c*) seize any food prepared or offered for sale or stored or in course of transit within the fair or festival centre which he has reason to believe is unwholesome or unfit for human consumption, and destroy the same forthwith if, in his opinion, such food is of a perishable nature or the value thereof does not exceed three rupees.

(2) (*a*) Any Officer seizing any food under clause (*c*) of sub-section (1) shall, if it is not destroyed under that clause, report the seizure to such authority or person as may be prescribed in that behalf.

(*b*) If the authority or person aforesaid is of opinion that the food is unwholesome or unfit for human consumption such authority or person may, by order in writing, direct the food to be destroyed; and any expenses incurred in this behalf (including the cost, if any, of analysing the food or a sample thereof) may be recoverable from the person from whom the food was seized, as if it were an arrear of revenue due from him to Government.

(*c*) If the authority or person aforesaid is of opinion that such food is wholesome and fit for human consumption, the food shall be returned to the person from whom it was seized.

104. *Occupation of building, etc., required in connection with fair or festival.*—(1)Government may, in cases of emergency, depute any person to enter upon, occupy and use, without having recourse to the provisions of the Cochin Land Acquisition Act, II of 1070, any land or any building not being a dwelling house in the notified fair or festival centre which, in the opinion of Government is required and is suitable for any purposes connected with the fair or festival, such as the construction of pilgrim-sheds, water-sheds, hospitals, segregation-sheds, latrines and the like:

Provided that if the land or building is occupied, notice shall be given in writing to the occupant or be conpsicuously affixed on such land or building; not less than twenty-four hours before it is entered upon.

(2) The owner or lessee of such land or building shall be entitled to compensation for any damage or expenses incurred, and to a reasonable rent of the period during which it has been occupied or used for any of the purposes referred to in sub-section (1). Such compensation and rent shall be fixed by the Government.

(3) The local authority shall, when any such land or building ceases to be occupied or used for any of the purposes aforesaid, cause it to be thoroughly disinfected and cleansed.

105. *Control over private sources of water-supply.*—(1) The Health Officer may, by notice in writing, require the owner of, or other person having control over, any source of water-supply situated on the fair or festival site, to close or disinfect such source within a specified time if, in the opinion of the Health Officer, it is likely to endanger or cause the spread of disease amongst persons resorting to the fair or festival.

(2) If the owner or person aforesaid fails or neglects to comply with any notice issued under sub-section (1) within the time specified therein, the Health Officer may himself take the necessary action; and the whole of the expenses incurred in doing so or such part thereof as the Health Officer may determine to be reasonable, may be recovered from such owner or person as if it were an arrear of revenue due from him to Government.

CHAPTER XII

Finance

106. *Earmarking of revenue by local authorities for expenditure on public health.*—(1) Every Municipality shall earmark not less than 25 per cent of its income from all sources other than Government grants, for expenditure on the advancement of public health in its local area, and every Town Council shall similarly earmark not less than 10 per cent of its income from such sources:

Provided that Government may, for financial or other reasons, vary the provisions of this sub-section to such extent as they may think fit in the case of any Municipality or Town Council.

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(2) (*a*) Government may, by notification authorise any local authority or class of local authorities to incur expenditure on any public health purpose specified in the notification, notwithstanding anything contained in the Act under which such local authority or authorities have been constituted.

(*b*) Any expenditure incurred by a local authority, which is authorised by clause (*a*) shall be taken into account for the purposes of sub-section (1).

CHAPTER XIII

Rules, By-Laws, Penalties, Etc.

107. *Power of Government to make rules.*—(1) Government shall, in addition to the rule making powers conferred on them by any other provision contained in this Act, have power to make rules generally to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the power conferred by sub-section (1), Government may make rules—

(*a*) with reference to all matters expressly required, or allowed, by this Act to be prescribed; and

(*b*) regulating the situations in which sanitary conveniences for the use of the public shall be constructed by a local authority, and the number of such sanitary conveniences.

108. *Penalty for breach of rules.*—(1) In making a rule under section 78 Government may provide that a breach of such rule shall be punishable with imprisonment which may extend to three months or with fine or with both.

(2) In making a rule under any other provision contained in this Act, Government may provide that a breach of such rule shall be punishable—

(*i*) with fine which may extend to one hundred rupees, and in case of a continuing breach with fine which may extend to thirty rupees for every day during which the breach continues after conviction for the first breach; or

(*ii*) with fine which may extend to twenty rupees, for every day during which the breach continues after receipt of notice from the executive authority or the Health Officer to discontinue such breach.

109. *Procedure for making and the effect of rules.*—(1) The power to make rules under this Act shall be subject to the following conditions—

(*a*) A draft of the rules shall be published in the Cochin Government Gazette.

(*b*) Such draft shall not be further proceeded with until six weeks after such publication or until such later date as Government may appoint.

(2) All rules made under this Act shall be published in the Cochin Government Gazette and upon such publication shall have effect as if enacted in this Act.

110. *By-laws by local authorities.*—Subject to the approval of Government, any local authority may make by-laws, not inconsistent with this Act or the rules made thereunder or with any other law, for carrying out all or any of the purposes of this Act.

111. *Breach of by-laws.*—In making a by-law, the local anthority may provide that breach thereof shall be punishable—

(*a*) with fine which may extend to fifty rupees, and in case of a continuing breach with fine which may extend to fifteen rupees for every day during which the breach continues after conviction for the first breach, or

(*b*) with fine which may extend to ten rupees for every day during which the breach continues after receipt of notice from the executive authority or the Health Officer to discontinue such breach.

112. *Procedure for making or altering by-laws.*—In regard to by-laws made by a local authority under sections 110 and 111 the following provisions shall apply, namely.—

(*a*) in case the local authority is a Municipality constituted under the Cochin Municipal Act, XVIII of 1113, sections 318, 319 and 320 of that Act; and

(*b*) in case the local authority is a Town Council constituted under the Cochin Town Councils Act, XXVI of 1115, sections 304, 305 and 306 of that Act.

113. *Penalties for offences against Act etc.,.*—(1) Whoever—

(*a*) contravenes any of the provisions of this Act specified in the first and second columns of Schedule I; or

(*b*) contravenes any rule or order made under any of the provisions so specified; or

(c) fails to comply with any direction lawfully given to him, or any requisition lawfully made upon him, under or in pursuance of any of the said provisions shall be punished with

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fine which may extend to the amount mentioned in that behalf in the fourth column of the said Schedule.

(2) Whoever after having been convicted of—

(*a*) contravening any of the provisions of this Act specified in the first and second columns of Schedule II; or

(*b*) contravening any rule or order made under any of the provisions so specified; or

(*c*) failing to comply with any direction lawfully given to him, or any requisition lawfully made upon him, under or in pursuance of any of the said provisions

continues to contravene the said provision or the said rule or order or continues to fail to comply with the said direction or requisition shall be punished for each day after the previous date of conviction during which he continues to offend, with fine which may extend to the amount mentioned in that behalf in the fourth column of the said Schedule.

Explanation.—The entries in the third column of Schedules I and II headed "Subject" are not intended as definitions of the offences described in the provisions specified in the first and second columns thereof, or even as abstracts of those provisions, but are inserted merely as references to the subject dealt with therein.

114. *Penalty for preventing entry of executive authority or Health Officer.*—Every person who prevents the executive authority or the Health Officer or any person to whom the executive authority or the Health Officer has lawfully delegated his powers of entering on or into any land or building, from exercising his lawful power of entering thereon or thereinto, shall be punished with simple imprisonment for a term which may extend to one month, or with fine which may extend to five hundred rupees, or with both.

Miscellaneous

115. *Appeal against decisions of Health Officer.*—Any decision of the Health Officer against which an appeal is not otherwise provided for in this Act shall be subject to such appeal as may be prescribed.

116. *Method of serving notices.*—(1) When any notice is required to be given by this Act or by any rule, by-law, regulation or order made under it, such notice shall be given—

(*a*) by giving or tendering the notice to such person; or

(*b*) if such person is not found, by leaving such notice at his last known place of abode or business or by giving or tendering the same to some adult member or servant of his family; or

(*c*) if such person does not reside in the local area and his address elsewhere is known to the executive authority, by sending the same to him by post, registered; or

(*d*) if none of the means aforesaid be available, affixing the same in some conspicuous part of such place of abode or business.

(2) When the person is an owner or occupier of any building or land, it shall not be necessary to name the owner or occupier in the notice, and in the case of joint owners and occupiers it shall be sufficient to serve it on, or send it to, one of such owners or occupiers.

117. *Cognizance of offences against the Act.*—No person shall be tried for any offence against the provisions of this Act, or of any rule, or by-law made under it, unless complaint is made within three months of the commission of the offence by the police, or the executive authority or the Health Officers,, or by a person expressly authorised in this behalf by the local authority, the executive authority or the Health Officer:

Provided that nothing contained in this section shall affect the provisions of the Code of Criminal Procedure, II of 1086, in regard to the power of certain Magistrates to take cognizance of offences upon information received or upon their own knowledge or suspicion.

118. *Powers to compound offences.*—The executive authority or the Health Officer may compound any offence against this Act or the rules or by-laws made thereunder which may, by rules made by Government be declared compoundable. The power to compound any offence so declared may also be exercised by such other authority or person as may be authorised in that behalf by rules made by Government.

119. *Powers of Police officers to arrest offenders against Act, etc.*—Any police officer who sees a person committing an offence against any of the provisions of this Act or of any rule or by- law made thereunder, may arrest such person, if his name and address are unknown to the officer and such person on demand declines to give his name and address or gives a name and address which the officer has reason to believe to be false.

120. *Powers of executive officer and public health staff to arrest offenders against Act, etc.*—

(1) The executive officer of a local authority or any member of the public health establishment of a local authority not below the rank of Health or Sanitary Inspector, who sees a person

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committing any of the offences specified in sub-section (2) in the area over which the local authority has jurisdiction, may arrest such person, if his name and address are unknown to the executive officer or member aforesaid and such person on demand declines to give his name and address or gives a name and address which such officer or member has reason to believe to be false. Any person so arrested shall be handed over to the officer in charge of the nearest police station as expeditiously as possible.

(2) The offences referred to in sub-section (1) are—

(*a*) offences against any of the provisions or of this Act or any rule or by-law made thereunder; and

(*b*) offences falling under any of the provisions of the Acts mentioned below, if such provisions are in force in the area over which the local authority has jurisdiction—

(*i*) Chapters VII to XIII, both inclusive, of the Cochin Municipal Act, XVIII of 1113, read with section 321 of that Act and Schedules VII and VIII thereto;

(*ii*) Chapters VII to XIII, both inclusive of the Cochin Town Councils Act, XXVI of 1115, read with section 307 of that Act and Schdules VI and VII thereto;

(*iii*) Clauses (9) and (11) of section 2 and section 3 and 9 of the Cochin Nuisances Act, IV of 1098; and

(*iv*) section 4 of the Cochin Prevention of Food Adulteration Act, XIV of 1109.

121. *Persons arrested not to be detained unnecessarily.*—No person arrested under section 119 or section 120 shall be detained in custody—

(*a*) after his true name and address have been ascrtained, or

(*b*) for a longer period than under all the circumstances of the case is reasonable; and such period shall not in the absence of the special order of a Magistrate, whether having jurisdiction to try the case or not, exceed twenty-four hours, exclusive of the time necessary for the journey of such person to the Court having jurisdiction to try the case.

122. *Bar of suits and prosecutions in certain cases.*—(1) No suit, prosecution or other proceeding shall lie against any local authority or any executive authority of a local authority, or against Government or any officer or servant of a local authority or of Government, or against any person appointed under section 8 of this Act, for any act done or purporting to be done under this Act without the previous sanction of Government.

(2) No local authority or executive authority of a local authority, no officer or servant of any local authority or of Government and no person appointed under section 8 of this Act, shall be liable in respect of any such act in any civil or criminal proceedings, if the act was done in good faith in the course of the execution of the duties or the discharge of functions imposed by or under this Act.

123. *Punishment for malicious abuse of powers.*—Any executive authority of a local authority or any officer or servant of a local authority or of Government, or any person appointed under section 8 of this Act, who maliciously abuses any powers conferred on him by or under this Act, shall be punished with simple imprisonment which may extend to one year with fine which may extend to one thousand rupees or with both.

Explanation.—No prosecution shall be instituted under this section without the previous sanction of Government.

124. *Delegation of powers by Government.*—Government may, by notification and subject to any restrictions, limitations and conditions specified therein authorise any person to exercise any one or more of the powers vested in them by this Act and may in like manner withdraw such authority:

Provided that nothing contained in this section shall apply to any power of Government to make rules under this Act or to their powers under sections 2 (2), 2 (3) (b); 107 (1) and 126.

125. *Act to override other enactments.*—If any provision relating to public health contained in any other enactment in force in Cochin State is repugnant to any provision contained in this Act, the latter provision shall prevail and the former provision shall, to the extent of the repugnancy, be void.

126. *Powers to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Act, Government, as occasion may require, may, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

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SCHEDULE I

Ordinary penalties

See section 113(1)

Section (1)	Sub-section or clause (2)	Subject (3)	Fine which may be imposed (4)
19	(1)	Failure of the owner or other person having control to obey or comply with the directions contained in the notice requiring to keep any well, etc., in good repair to cleanse it or protect, etc.	Fifty rupees
22	(1)	Failure to comply with notice to provide efficient drainage	do.
23	..	Failure to comply with notice requiring to connect a house drain with an outside drain	do.
24	..	Failure on the part of the owner of land to comply with notice requiring a drain for a hut on the land	One hundred rupees
25	..	Failure to comply with notice for paving or raising the level of any court, yard, etc.	Fifty rupees
26	(1)	Unlawful construction of cess-pool or construction of cess-pool on unapproved site	do.
26	(2)	Failure to comply with notice requiring removal or closure of cess-pool	do.
27	..	Letting out sullage or sewage into a street, etc.	do.
28	..	Discharging injurious refuse, etc., into a drain	One hundred rupees
29	..	Pollutting watercourse	do.
31	..	Constructing or reconstructing a building intended for human habitation without a sanitary convenience	Fifty rupees
32	..	Failure to comply with notice regarding provision of sanitary conveniences or latrines	do.
33	(1)	Failure to construct and maintain latrines in the prescribed manner	do.
	(2)	Failure to comply with notice regarding removal or improvement of latrines	do.
37	(3)	Failure to comply with notice to abate nuisance	do.
39	..	Failure to comply with Magistrate's order prohibiting the use of a house or building	One hundred rupees
44	(1)	Depositing filth, rubbish, etc., in streets	Twenty-five rupees
	(3)	Easing or permitting a member of the family to ease in a street, etc.	do.
49	..	Failure to give information regarding existence of certain infectious diseases	Five rupees
50	(2)	Failure to comply with notice prohibiting the use of unwholesome water	One hundred rupees
52	..	Exposing other persons to infection	Twenty-five rupees
53	(a)	Infected persons carrying on trade in articles of food	Fifty rupees

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SCHEDULE I—*(cont.)*

Section	Sub-section or clause	Subject	Fine which may be imposed
(1)	(2)	(3)	(4)
53	(b)	Infected persons engaging in other occupation without permit	Fifty rupees
56	..	Failure to give information of notified diseases	Ten rupees
59	..	Failure to close lodging houses, etc.	One hundred rupees
60	..	Sending infected clothes to a laundry or depositing infected articles in a receptacle for refuse matter	Fifty rupees
61	(1), (2), (3) and (5)	Using or permitting use of public conveyance by an infected person	do.
62	..	Letting or sub-letting of infected building without a permit	do.
63	..	Exposing other persons to infection	do.
64	(1)	Failure to comply with notice forbidding work in infected premises	do.
	..	Use of books from public libraries by infected persons, etc.	do.
66	(1), (2), (4) and (5)	Delay in disposing of dead body of an infected person or allowing others unnecessarily to come into contact with it, etc., etc.	do.
67	..	Failure to comply with order prohibiting assemblages of more than fifty persons	One hundred rupees
68	(2)	Failure to comply with any order or direction issued by the Health Officer or other officer	One thousand rupees
69	(1)	Failure to take steps for the destruction of rats, mice, etc.	Twenty rupees
	(2)	Failure to comply with the notice for the destruction of rats, mice, etc.	Fifty rupees
73	(1) and (2)	Persons suffering from leprosy accepting employment in certain capacities, etc.	do.
	(3)	Causing or permitting person suffering from leprosy to accept employment in such capacities	do.
	(4)	Engaging person suffering from leprosy in such capacities	do.
74	(1)	Person suffering from leprosy using public conveyance	do.
	(2)	Permitting person suffering from leprosy to use public conveyance	do.
	(3)	Conveying person suffering from leprosy in public conveyance	do.
	(4)	Failing to give notice that person suffering from leprosy was conveyed in public conveyance	do.
75	(1)	Person suffering from leprosy attending school or taking books from public library, etc.	do.
	(2)	Permitting person suffering from leprosy to attend school or to take books from public library, etc.	do.
80	(1)	Failure to comply with notice requiring steps to be taken against breeding of mosquitoes	do.
82	..	Permitting the deterioration of works relating to prevention of the breeding of mosquitoes	Two hundred rupees

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SCHEDULE I—*(cont.)*

Section	Sub-section or clause	Subject	Fine which may be imposed
(1)	(2)	(3)	(4)
83	(1)	Injuring or destroying antimosquito works	Five hundred rupees
85	..	Illegal erection of building on insanitary ground	Two hundred rupees
87	(2) and (3)	Failure to cease to inhabit a dwelling house declared unfit for human habitation or permitting it to be let or occupied as a dwelling house	do.
89	(*a*)	Failure to maintain a tenement in a habitable condition	Fifty rupees
	(*b*)	Causing or permitting a tenement to be overcrowded	do.
91	(1)	Selling, etc., unsound meat or food	One hundred rupees
92	..	Selling, etc., unsound meat or food through others	do.
93	..	Consuming the flesh of any animal which has died of natural causes	do.
94	(1)	Unlawfully importing meat from outside the local area	do.
96	(2)	Infected person carrying on trade, etc., in articles of food	do.
97	..	Failure to furnish information regarding the sources of supply of milk or dairy produce	Fifty rupees
98	(5)	Failure to comply with the order prohibiting the supply of milk or dairy produce	Two hundred rupees
100	..	Failure to inform the proper authority about the date and other particulars regarding fair or festival	Fifty rupees
105	..	Failure to comply with notice to close or disinfect source of water supply	One hundred rupees

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SCHEDULE II

Penalties for continuing breaches

[*See section 113 (2)*]

Section	Sub-section or clause	Subject	Fine which may be imposed
(1)	(2)	(3)	(4)
19	(1)	Failure of the owner or other person having control to obey or comply with the directions contained in the notice requiring to keep any well, etc., in good repair, to cleanse it, or protect, etc.	Ten rupees
22	(1)	Failure to comply with notice to provide efficient drainage	do.
23	..	Failure to comply with notice requiring to connect a house drain with an outside drain	do.
24	..	Failure on the part of the owner of land to comply with notice requiring a drain for a hut on the land	Twenty rupees
25	..	Failure to comply with notice for paving or raising the level of any court, yard, etc.	Ten rupees
26	(2)	Failure to comply with notice requiring removal or closure of cess-pool	do.
27	..	Letting of sullage or sewage into a street, etc.	do.
28	..	Discharging injurious refuse, etc., into a drain	Twenty rupees
29	..	Pollutting water course	Ten rupees
31	..	Constructing or reconstructing a building intended for human habitation without a sanitary convenience	do.
32	..	Failure to comply with notice regarding provision of sanitary conveniences or latrines	do.
33	(2)	Failure to comply with notice requiring removal or improvement of latrines	do.
37	..	Failure to comply with notice to abate nuisance	do.
39	..	Failure to comply with Magistrate's order prohibiting the use of a house or building	Twenty rupees
50	(2)	Failure to comply with notice prohibiting the use of unwholesome water	do.
52	..	Exposing other persons to infection	Five rupees
53	(a)	Infected persons carrying on trade in articles of food	Ten rupees
..	(b)	Infected persons engaging in other occupations without permit	do.
..	..	Failure to close lodging houses, etc.	Twenty rupees
..	..	Exposing other persons to infection	Ten rupees
64	(1)	Failure to comply with notice forbidding work in infected premises	do.
68	(2)	Failure to comply with any order or direction issued by the Health Officer or other officer	One hundred rupees
69	(1)	Failure to take steps for the destruction of rats, mice, etc.	Five rupees
..	(2)	Failure to comply with notice for the destruction of rats, mice, etc.	do.
73	(1) and (2)	Persons suffering from leprosy accepting employment in certain capacities, etc.	Ten rupees

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SCHEDULE II—(*cont.*)

Section (1)	Sub-section or clause (2)	Subject (3)	Fine which may be imposed (4)
73	(3)	Causing or permitting person suffering from leprosy to accept employment in such capacities	Ten rupees
..	(4)	Engaging person suffering from leprosy in such capacities	do.
75	(1)	Person suffering from leprosy attending school or taking books from public library, etc.	do.
..	(2)	Permitting person suffering from leprosy to attend school or take books from public library, etc.	do.
80	(1)	Failure to comply with notice requiring steps to be taken against the breeding of mosquitoes	do.
87	(2) and (3)	Failure to cease to inhabit a dwelling house declared unfit for human habitation; or permitting it to be let or occupied as a dwelling house	Fifty rupees
89	(a)	Failure to maintain a tenement in a habitable condition	Twenty rupees
..	(b)	Causing or permitting a tenement to be overcrowded	do.
91	(1)	Selling, etc., unsound meat or food	do.
92	..	Selling, etc., unsound meat or food through others	do.
96	(2)	Infected person carrying on trade etc., in articles of food	do.
98	(5)	Failure to comply with the order prohibiting the supply of milk or dairy produce	Fifty rupees
105	..	Failure to comply with notice to close or disinfect source of water supply	Twenty-five rupees

APPENDIX III

NOTIFICATION

THE COCHIN TRADE UNIONS ACT (AMENDMENT) BILL

WHEREAS it is expedient to amend the Cochin Trade Unions Act, III of 1112, for the purposes hereinafter appearing; It is hereby enacted as follows.—

1. *Short title and commencement.* (1) This Act may be called the Cochin Trade Unions (Amendment) Act, of 112

(2) It shall come into force on such date as Government may, by notification in the Cochin Government Gazette, appoint.

2. *Amendment of Preamble.* In the Preamble of the Cochin Trade Unions Act, III of 1112 (hereinafter referred to as the said Act),—

(a) after the word "registration" the words "and recognition" shall be inserted;

(b) for the words "registered Trade Unions in Cochin" the words "registered and recognised Trade Unions and to certain unfair practices in industrial or trade employment" shall be substituted.

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